



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



September 28, 2005

James E. Hartl AICP
Director of Planning

Sean Walsh, Director
State of California
Governor's Office of Planning and Research
1400 Tenth Street
P.O. Box 3044
Sacramento, CA 95812-3044

SEP 29 2005

Lucetta Dunn, Director
State of California
Department of Housing & Community Development
1800 Third Street
P.O. Box 952050
Sacramento, CA 94252-2050

Dear Mr. Walsh and Ms. Dunn:

**SUBJECT: LOS ANGELES COUNTY GENERAL PLAN
ANNUAL PROGRESS REPORT**

I am pleased to provide each of you with a copy of the General Plan Annual Progress Report for Los Angeles County. The attached annual progress report describes the status of the County's General Plan Update program and progress in implementing key Housing Element programs, including reporting the County's progress toward meeting regional housing needs. The report was included on the September 28, 2005 agenda of the Los Angeles County Regional Planning Commission as a discussion item, and was provided to the Los Angeles County Board of Supervisors, as required by Section 65400(b) of the Government Code.

If you have any questions or need further assistance, please contact me or Julie Moore at (213) 974-6425, Monday through Thursday from 7:30 a.m. to 6:00 p.m. Our offices are closed on Fridays.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP
Director of Planning

Ronald D. Hoffman, Administrator
Advance Planning Division

JEH:jtm
Attachment



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



September 28, 2005

James E. Hartl AICP
Director of Planning

TO: Supervisor Gloria Molina, Chair
Supervisor Yvonne B. Burke
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

FROM: James E. Hartl, AICP
Director of Planning

SUBJECT: 2005 GENERAL PLAN ANNUAL PROGRESS REPORT

The attached annual progress report describes the status of the County's General Plan Update program and progress in implementing key Housing Element programs, including reporting the County's progress toward meeting regional housing needs. Government Code Section 65400(b) mandates that all cities and counties submit to their legislative bodies an annual report on the status of the general plan and progress in its implementation on or before October 1, 2005.

The annual progress report is intended as a tool for informing local legislative bodies of the jurisdiction's effectiveness in implementing its general plan. A copy of this report must be sent to the Governor's Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD) by the October 1 statutory deadline. Providing a copy to HCD fulfills a statutory requirement to report certain housing information, including the local agency's progress in meeting its share of regional housing needs and local efforts to remove governmental constraints to the development of housing, as defined in Government Code Sections 65584 and 65583(c)(3).

The report focuses on the progress to date on several key Housing Element programs, including work on a second unit ordinance, farm worker housing, identifying sites for multi-family housing, and the status of the Housing Advisory Committee. The County has also made accomplishments on the following housing-related projects that are described in more detail in the attached report:

- Adoption of the Green Line Transit Oriented District (TOD)
- Completion of the Green Line TOD Infill Estimation Study
- Commencement of the County's Urban Infill Estimation Project
- Planning Commission Public Hearing on the Density Bonus Ordinance
- Implementation of the County's Infill Sites Utilization Program
- Special Needs Housing Alliance

The Honorable Board of Supervisors
General Plan Annual Progress Report
September 28, 2005
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The report also describes the County's progress toward meeting the housing construction 'fair share' targets established through the Regional Housing Needs Assessment (RHNA) process. As this report includes the final twelve months of the current Housing Element planning period (January 1, 1998 to June 30, 2005), it should be noted that the County has achieved 43 percent of the total RHNA allocation for the unincorporated area through the issuance of building permits for 22,551 residential units as compared to the 52,232 unit construction target for the planning period. Additional discussion of the County's progress on the RHNA can be found on pages 5-7 of the report.

Should you have any questions regarding the report, please contact me, or Julie Moore of my staff at (213) 974-6425.

JEH:jtm

Attachment

1. General Plan Annual Progress Report

C: Chief Administrative Office
County Counsel
Executive Officer, Board of Supervisors
Community Development Commission
Department of Public Works
Fire Department

REPORT TO LOS ANGELES COUNTY BOARD OF SUPERVISORS

GENERAL PLAN ANNUAL PROGRESS REPORT

September 2005

PURPOSE OF REPORT

The intent of this report is to demonstrate the County's compliance with the requirements of Government Code Section 65400(b), which mandates the County to prepare an annual report on the status of the General Plan and progress in its implementation. A copy of this report must be sent to the Governor's Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD). Providing a copy to HCD fulfills a statutory requirement to report certain housing information, including the County's progress in meeting its share of regional housing needs and local efforts to remove governmental constraints to the development of housing, as defined in Government Code Sections 65584 and 65583(c)(3).

BACKGROUND

According to the Governor's Office of Planning and Research, OPR does not require submission of a detailed progress report while a jurisdiction is in the process of comprehensively updating its general plan. In this case, OPR requests that the County provide a brief letter indicating that the comprehensive update is in progress with a brief description of the scope of work and an anticipated completion date. This report is intended to fulfill this requirement.

GENERAL PLAN STATUS

The County of Los Angeles Department of Regional Planning (Department) serves as the planning agency for the unincorporated area of Los Angeles County, an area of roughly 2,655 square miles. During the late 1990s, a review of the General Plan status was commenced that

led to the preparation of a multi-year work program to update the General Plan. The County's General Plan has not been comprehensively updated since its adoption in 1980.

The Department is currently in the process of comprehensively updating the Los Angeles County General Plan in compliance with Government Code Sections 65300.7, 65301 and 65302. This multi-year planning effort is intended to reflect changing demographic, growth, and infrastructure conditions in the County. It includes streamlining the General Plan's countywide elements into a manageable document, the elimination and/or consolidation of optional elements, the review of critical policy areas, the amendment of associated zoning ordinances, and preparation of an environmental impact report in compliance with California Environmental Quality Act (CEQA) requirements.

The unincorporated area is a highly diverse and complex planning environment, necessitating a creative approach to planning. Consequently, the General Plan has many components and levels of plans—from the general to the highly detailed—to address the diverse needs of county residents and to address the full range of urban, suburban and rural land use issues facing the County. One way the General Plan addresses complex countywide issues is to encourage infill development in existing urban areas, which serves to reduce urban expansion and maintain open space. Several strategies are being used to implement infill, including encouraging new housing developments along transportation corridors and within Transit Oriented Districts; and increasing allowable urban densities.

The update program focuses on amending the following countywide elements of the General Plan: General Goals and Policies, Land Use, Housing, Circulation, Conservation/Open Space, Noise, and Safety. The program is being conducted in two phases:

Phase I: Housing Element Update and Implementation

The Board of Supervisors adopted a comprehensive revision to the Housing Element on October 23, 2001. On February 13, 2002, the Housing Element was conditionally certified by the State Department of Housing and Community Development (HCD) subject to the County demonstrating progress toward implementing housing programs aimed at identifying adequate sites for multi-family housing and farm worker housing assistance. The status of these programs is discussed in more detail in this report.

Phase II: Countywide Elements of the General Plan

The Department is revising and consolidating all countywide elements, except the Housing Element, which was amended in 2001, into the following: Land Use, Circulation, Conservation/Open Space, Noise, and Safety. All State-required components of a general plan will either be included in these elements or adopted by reference.

The Draft General Plan, *Shaping the Future 2025*, was released for public comment in 2004. The document was well received and garnered substantial input during the subsequent five months of public review. In response to public

comment, adjustments to the General Plan update program have been made including, but not limited to, the following:

- The creation of a mixed-use land use category;
- Reevaluation of the County's proposed Significant Ecological Areas Program, including associated zoning code amendments, which will be followed by public workshops to solicit input on the revised program; and
- Increasing the allowable density in all urban residential categories.

The accompanying Environmental Impact Report for the General Plan will address new case law and state mandates that have been enacted in the past year. An extensive outreach campaign will transpire beginning in 2006; public meetings will be held throughout the county to solicit input on a Preliminary General Plan, followed by public review of the Draft Environmental Impact Report. Public hearings before the Regional Planning Commission and County Board of Supervisors will follow later in the year.

HOUSING ELEMENT IMPLEMENTATION

Implementation Overview

Currently, the County of Los Angeles is in compliance with State Housing Element law (Article 10.6 of the Government Code) in that the Los Angeles County Board of Supervisors adopted the County's Housing Element on October 23, 2001, and HCD has determined that the Housing Element is in compliance, conditioned upon the County completing Housing Action Programs #43 and #44 relating to farm worker housing and identifying adequate sites for multi-family development and related rezoning activities.

The Housing Element contains an ambitious array of programs for implementation. Many programs are implemented by other agencies; therefore, the actual program work may vary from the original target completion dates. This report focuses on the major programs with activity during the last half of 2004 and the first half of 2005, which is the last twelve months of the Housing Element planning period. Information on Housing Action Programs #41, #43, and #44 is reported as of June 30, 2005 to provide an update on the County's progress in implementing these programs.

Second Unit Ordinance Implementation (Program #41)

On March 3, 2004 the Los Angeles County Board of Supervisors adopted Ordinance 2004-0012, amending the Los Angeles County Zoning Code with regulations and procedures for the review of second residential units—as required for consistency with State law. The ordinance took effect April 2, 2004 and is included as **Appendix A**. The Department has approved 90 second units during the first 14 months since the ordinance went into effect.

Farm Worker Housing (Program #43)

The County has completed the preparation of a draft ordinance amending the County's Zoning Ordinance to add definitions for farm worker and farm worker housing and to permit farm worker housing by right in agricultural zones. Additional public outreach efforts are needed prior to scheduling the public hearing. It is anticipated that a public hearing before the County's Regional Planning Commission will be held in 2006. When approved by the Commission, the Ordinance will be scheduled for a public hearing before the Board of Supervisors. A copy of the working draft is included as **Appendix B**.

Identifying Adequate Sites for Multi-Family Housing (Program #44)

The Housing Advisory Committee is a key component of the Housing Element's Action Program #44 (Identify Sites for Multi-Family Housing). The Committee is comprised of eighteen citizens and private sector volunteers who are closely related to and interested in the production of affordable housing in the unincorporated area of Los Angeles County. The role of the Committee is to assist the Department of Regional Planning by recommending incentives for, and ways to further remove barriers to, the construction of affordable housing in the unincorporated area, and to identify vacant and underutilized sites that could be used for affordable housing development.

Since its formation in September 2002, the Housing Advisory Committee has convened 15 times, with another meeting scheduled in early November 2005. A list of the Committee's members is included as **Appendix C** and copies of the agendas and notes from the Committee's meetings since July 2004 are included as **Appendix D**.

On June 21, 2005, the Board of Supervisors approved a motion directing the Department to 1) study and make recommendations on options for modifying the County's commercial zones in the unincorporated areas to allow the processing of residential developments and mixed-use projects through an administrative procedure; and 2) consider the different circumstances and different parts of the County that would be applicable, and work with each Supervisorial District's Planning Deputy to take into consideration each District's commercial zones; and 3) report back to the Board with findings, including provisions for maintaining the commercial uses along the County's major commercial corridors. A copy of the completed Board report and the Board's motion are included as **Appendix E**. The Housing Advisory Committee has provided important input to the Board report. The Program #44 rezoning effort will initially focus on finding sites for higher density multi-family housing within areas that are currently zoned for multi-family housing or are commercially zoned, as these areas are likely to be most suitable for accommodating additional residential density.

The Housing Advisory Committee will provide the Department with valuable guidance as the County undertakes the ambitious task of comprehensively identifying infill opportunity sites that may be suitable for inclusion in a rezoning program that will be considered in the future by the Regional Planning Commission and the Board of Supervisors.

HOUSING ELEMENT REPORTING REQUIREMENTS

Reporting Overview

The County is required to report certain housing information in accordance with state housing law (Government Code Sections 65583 and 65584) and the State HCD's housing element guidelines in reporting the County's progress toward meeting regional housing needs.

The Southern California Association of Governments (SCAG) has determined that total housing construction need for the unincorporated area of Los Angeles County is 52,232 housing units for the current planning period of 1998-2005, an annual average of 7,462 units.¹ This level of construction is deemed necessary by the state to meet both the housing needs of projected growth during the period, and to make up for current housing deficiencies of existing residents. This housing need is further segmented into four broad income categories: Very-low income (9,019 units), low income (7,519 units), moderate income (9,859 units), and above-moderate income (25,835 units).

During the seven and a half years of the planning period, from January 1, 1998 to June 30, 2005, the Department of Public Works (DPW) issued building permits for 22,551 dwelling units. The average time between permit issuance and completed construction is estimated at 305 days. The new dwelling units figure is offset by dwelling units removed from the housing stock as authorized by 1,530 demolition permits (the total number of dwelling units authorized for demolition was not available at the time of report preparation). A summary of residential building and demolition permits issued during January 1, 1998-June 30, 2005 is included as **Appendix F**.

Table 1 (on the next page) identifies the additional housing units completed during the reporting period for Housing Element information as compared to the unincorporated County's share of regional housing needs by income level. Table 1 includes very low, low and moderate income housing developments completed from January 1, 1998 through June 30, 2005.² Table 1 also reports that building permits were issued for 22,551 dwelling units during the period January 1, 1998 through June 30, 2005, compared to 52,232 dwelling units needed to meet the county's fair-share requirements for the period January 1, 1998 through June 30, 2005.³ According to the table, the number of additional dwelling units that are still needed during this period is 29,681, or roughly 57 percent of the RHNA allocation.

¹ Refer to Chapter 4 of the Housing Element, adopted on October 23, 2001, for full details on current housing needs as set forth by SCAG in the Regional Housing Needs Assessment (RHNA) for the planning period January 1, 1998 to June 30, 2005.

² Los Angeles County Community Development Commission, affordable housing development completions data, January 1, 1998-June 30, 2005.

³ County of Los Angeles Department of Public Works, Building and Safety Division, Unincorporated County Area, Residential Building Permit and Demolition Data, January 1, 1998-June 30, 2005.

TABLE 1 RHNA CONSTRUCTION NEED AND INCOME DISTRIBUTION, 1998-2005

Construction Need	Very Low Income Units	Low Income Units	Moderate Income Units	Above Moderate Income Units	Total
Unincorporated Area	9,019	7,519	9,859	25,835	52,232
Number of Dwelling Units Constructed 1/1/98-6/30/05	656	259	3,912	17,724	22,551
Number of new Dwelling Units Still Needed	8,363	7,260	5,947	8,111	29,681

Source: SCAG, *Regional Housing Needs Assessment, 2000*; Los Angeles County Department of Public Works, Building & Safety Division for the number of dwelling units assumed to be constructed during the period January 1, 1998-June 30, 2005; Los Angeles County Community Development Commission affordable housing development completions, January 1, 1998-June 30, 2005. Income categories based on a household of four members and the area median income which is annually revised according to the U.S. Dept. of Housing and Urban Development.

Affordable Housing Completed During the Planning Period

According to the Los Angeles County Community Development Commission, 936 new income-restricted affordable dwelling units were constructed in the unincorporated area from January 1, 1998 – June 30, 2005. Of these units, 259 are affordable to low-income households, 656 are affordable to very-low income households, and 21 units are affordable to moderate-income households. It should be noted that in Table 1, the 21 moderate-income units are included in the 3,912 moderate-income units constructed during the period January 1, 1998 - June 30, 2005.

Development Approvals Summary

During the period January 1, 1998, through June 30, 2005, the County issued discretionary approvals for 258 residential development projects totaling 17,681 dwelling units (the 17,681 figure differs from the 22,551 dwelling units constructed in that the constructed units also include ministerial/non-discretionary project approvals and also may have resulted from planning and building approvals issued prior to 1998). This figure includes 17 projects totaling 335 units that were approved by the County for affordable housing developments (with low- and very-low income affordability restrictions).

Although the County is currently working with its Housing Advisory Committee to craft regulatory strategies that facilitate and provide increased incentives for affordable and market-rate housing, the Committee has recognized that even under the best-case scenario, the 52,232-unit RHNA allocation is unattainable. The overall RHNA construction target for the Los Angeles County unincorporated area is unrealistic considering that even if the County had been in the position to complete the major task of adopting major regulatory changes to double the annual average number of housing units permitted for the entire 7.5-year planning period, this

would have accomplished only 86 percent of the RHNA allocation. This scenario illustrates that other market factors are at work that are non-regulatory in nature and not under the County's control that significantly impact the pace of new housing construction.

ADDITIONAL AFFORDABLE HOUSING ACTIVITIES

Green Line Transit Oriented District (TOD)

The Green Line Transit Oriented District (TOD) ordinance was adopted by the Board of Supervisors on January 25, 2005. The purpose of the Green Line TOD is to establish a new framework for development in the District within roughly one-quarter mile from the Vermont Avenue and Hawthorne Boulevard Green Line Transit Stations. The Green Line TOD promotes a walkable environment that supports transit and provides regulatory incentives and community-oriented development standards that attract pedestrian-oriented, neighborhood-serving commercial uses, and high-quality affordable housing to the District, thereby promoting convenient, vibrant, and cohesive transit-oriented neighborhoods.

The Green Line TOD also encourages revitalization by promoting mixed-use development through an administrative procedure and reduced parking requirements to support transit ridership within the District.

A copy of the Green Line TOD ordinance is included as **Appendix G**.

Green Line TOD Infill Estimation Study

Following up on the development of an infill estimation methodology through the County's participation in a collaborative effort led by Environment Now, their consultants (Solimar Research Group and Terrell Watt Consulting) and the City of Los Angeles, the Second Supervisorial District supported the use of this methodology in evaluating the infill potential within the Green Line TOD area. The study, prepared by Solimar Research Group, evaluated the potential within both the Hawthorne Station and Vermont Station TOD areas, and evaluated the efficacy of the ordinance and concluded that there is significant infill potential within both TOD areas. A copy of the study is included as **Appendix H**.

Los Angeles County Urban Infill Estimation Project (Sponsored by SCAG)

Encouraged by the positive results of the Green Line TOD Infill Estimation Study, the Second Supervisorial District has supported the Department's work with the Southern California Association of Governments (SCAG) on an ambitious SCAG-funded study to evaluate the infill potential within urban unincorporated areas within the County of Los Angeles. The Scope of Work for the *Los Angeles County Urban Infill Estimation Project* is included in **Appendix I**.

Density Bonus Ordinance Update

The passage of SB1818 (Chapter 928, Statutes of 2004, effective January 1, 2005) which significantly revised the State's affordable housing density bonus law (Section 65915 of the California Government Code) poses an opportunity for the County to update its affordable housing density bonus provisions. On January 26, 2005, the Regional Planning Commission instructed the Department to commence the preparation of an ordinance amending the appropriate sections of the County Code in a manner that is consistent with the changes to State density bonus law. The Regional Planning Commission held a public hearing on June 22, 2005, and will meet again on October 26, 2005 to discuss possible minor adjustments to the draft ordinance prior to making a recommendation to the Board of Supervisors. A copy of the draft density bonus ordinance is included in **Appendix J**. The Department has also developed "interim guidelines" which contain instructions for guiding the County as it implements the changes to State law while the ordinance is in the process of being amended. A copy of the Affordable Housing Density Bonus Interim Guidelines is included in **Appendix K**.

Infill Sites Utilization Program

On August 3, 2004, the Board of Supervisors approved the County's Infill Sites Utilization Program which is administered by the County of Los Angeles Community Development Commission (CDC).

The Infill Program is designed to streamline the delivery of housing for low and moderate income families in Los Angeles County. The CDC, in conjunction with the Housing Authority's Industry Program, may authorize the acquisition, lease or sale of infill sites of no more than four units in each. The Program will serve to provide more housing opportunities for low- and moderate- income families, to make more efficient the delivery of smaller development and acquisition/rehabilitation projects and to assist in eliminating blight. The Infill Program encompasses a variety of improved and unimproved sites.⁴ The CDC is currently in the process of preparing a status report to the Board regarding the program that will be submitted in the upcoming months. A copy of the Infill Sites Utilization Program is included as **Appendix L**.

Special Needs Housing Alliance

In March 2005, the Department of Regional Planning became a member of the Special Needs Housing Alliance, an interdepartmental task force dedicated to mobilizing resources and political support to address special housing needs within the County. The role of the Department has been to provide insight into the housing crisis in the unincorporated areas as well as to connect

⁴ Derived from recommendations from Carlos Jackson, Los Angeles Community Development Commission, to the LA County Board of Supervisors, Board of Commissioners - Community Development Commission and Board of Commissioners - Los Angeles County Housing Authority, August 3, 2004.
<http://lacounty.info/bos/sop/supdocs/13361.pdf>

the Department's regulatory efforts to increase the supply of affordable housing to other departments' efforts to address special housing needs. In the coming months, the Special Needs Housing Alliance, which includes the Department of Social Services, the Department of Mental Health and the Community Development Commission, will present the Board of Supervisors with a strategic plan that guides County efforts to provide housing, operational subsidies, and supportive services for the County's special needs populations, in particular emancipated youth, people with HIV/AIDS and people with mental disabilities. The Department of Regional Planning is also involved in working groups organized by the CAO to eradicate homelessness, including *Bring Los Angeles Home*—a blue ribbon panel composed of more than 60 political and civic leaders staffed by the Los Angeles Homeless Services Authority and the Coalition to End Hunger and Homelessness. The Department would be involved in the implementation of the strategic plan once the plan is adopted by the Board.

SUMMARY

The annual report provides information on the status of the County's General Plan and progress toward its implementation. This report also complies with the requirements of State law regarding the preparation and submission of General Plan annual reports. The Department will keep you informed in the upcoming months of the County's progress in implementing the major programs discussed in this report.

JEH:jtm

Enclosures:

- Appendix A – Second Unit Ordinance
- Appendix B – Working Draft of Farm Worker Housing Ordinance
- Appendix C – Housing Advisory Committee Roster
- Appendix D – Housing Advisory Committee Agendas and Meeting Notes
- Appendix E – Board Report on Mixed Use Development and the Board's Motion
- Appendix F – Residential Building/Demolition Permits January 1, 1998 - June 30, 2005
- Appendix G – Green Line TOD Ordinance
- Appendix H – Green Line TOD Infill Estimation Study
- Appendix I – Work Scope for SCAG-Funded L.A. County Urban Infill Estimation Project
- Appendix J – Draft Density Bonus Ordinance
- Appendix K – Affordable Housing Density Bonuses – Interim Guidelines
- Appendix L – Infill Sites Utilization Program

Appendix A

Second Unit Ordinance

ANALYSIS

This ordinance amends Title 22 - Planning and Zoning of the Los Angeles County Code to add Part 16 of Chapter 22.52 to allow for the development of second units in residential and agricultural zones. The ordinance also makes conforming changes to other provisions of Title 22. A second unit is a dwelling unit that is either attached to, or located on the same lot as a single-family residence. California Government Code section 65852.2 authorizes the adoption of this ordinance.

LLOYD W. PELLMAN
County Counsel

By
LAWRENCE L. HAFETZ
Principal Deputy County Counsel
Public Works Division

LLH:jn

01/13/04 (requested)

01/15/04 (revised)

ORDINANCE NO. _____

An ordinance amending Title 22 - Planning and Zoning of the Los Angeles County Code to establish development standards for second units on lots with existing single-family residences.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 22.08.180 is hereby amended to read as follows:

22.08.180 R.

...

- Residence, Two-family. "Two-family residence" means a building containing two dwelling units, other than a single-family residence with an attached "second unit," as defined in Section 22.08.190.

...

SECTION 2. Section 22.08.190 is hereby amended to add the following definition in alphabetical order as follows:

22.08.190 S.

...

- "Second unit" means a dwelling unit authorized by Part 16 of Chapter 22.52 that is either attached to or located on the same lot or parcel of land as an existing single-family residence. "Second unit" includes a manufactured home, as defined in section 18007 of the

California Health and Safety Code, and an efficiency living unit, as described in Section 11.20.370 of this code.

...

SECTION 3. Sections 22.20.070, 22.20.170, 22.20.260, 22.20.340, and 22.20.410 and subsections 22.24.070.A and 22.24.120.A are hereby amended to add the following to the list of permitted uses in residential and agricultural zones in alphabetical order as follows:

...

-- Second units, subject to the provisions of Part 16 of Chapter 22.52.

...

SECTION 4. Section 22.20.080 is hereby amended to read as follows:

22.20.080 Accessory Uses. Property in Zone R-1 may be used for the following accessory uses:

...

-- Detached living quarters on the same premises as, and not less than 20 feet from a single-family residence for the use of temporary guests or servants of the occupants of such residence provided:

1. That such quarters have no kitchen or kitchen facilities; ~~and~~
2. That such quarters are not rented or otherwise used as a separate dwelling; ~~and~~

3. That such quarters are established on a lot or parcel of land that does not contain a second unit; and

34. That such quarters are established on a lot or parcel of land having not less than one and one-half times the required area, except that said quarters may be established on any lot or parcel of land containing 10,000 square feet or more.

...

SECTION 5. Sections 22.20.100, 22.20.200, 22.20.290, 22.20.370, and 22.20.440 and subsections 22.24.100.A and 22.24.150.A are hereby amended to add to the list of uses subject to permits in residential and agricultural zones in alphabetical order as follows:

...

– Second units located within any area described in subsection B of Section 22.52.1730, subject to the provisions of Part 16 of Chapter 22.52.

...

SECTION 6. Section 22.20.460 is hereby amended to add subsection C as follows:

22.20.460 Uses and development standards. Property in Zone RPD may be used for:

...

C. Second Units. Second units within an existing planned residential development, subject to the provisions of Part 16 of Chapter 22.52.

SECTION 7. Section 22.52.250 is hereby amended to read as follows:

22.52.250 Zones R-1, R-A, RPD, A-1, A-2, and A-2-H – Required area. No person shall use any main buildings or structures in Zones R-1, R-A, RPD, A-1, A-2, or A-2-H unless the lot or parcel of land on which they are located has the required area as specified in this Part 2 for each such building or structure. This provision shall not apply to accessory buildings or structures ~~or to~~ senior citizen residences, or second units.

SECTION 8. Section 22.52.1180 is hereby amended to add subsection E as follows:

22.52.1180 Residential uses.

...

E. A second unit with fewer than two bedrooms shall have one uncovered standard parking space; a second unit with two or more bedrooms shall have two uncovered standard parking spaces. A parking space provided for a second unit may be located in tandem with a parking space for the single-family residence only if such design is necessary in order to provide the required number of parking spaces for both units, and either space may be accessed from the driveway without moving an automobile parked in the other space. Notwithstanding subsection A.1 of this section, if

tandem parking is provided, one of the parking spaces for the single-family residence may be uncovered.

SECTION 9. Part 16 of Chapter 22.52 is hereby added as follows:

Part 16

SECOND UNITS

22.52.1700 Purpose. The purpose of this Part 16 is to provide for the development of second units, as defined in Section 22.08.190, in residential and agricultural zones with appropriate development restrictions, pursuant to section 65852.2 of the California Government Code. Nothing in this Part 16 shall preclude the development of multiple single-family residences pursuant to the provisions of Title 21 in lieu of and as an alternative to the procedures set forth in this Part 16 and section 65852.2 of the California Government Code.

22.52.1710 Applicability of zone, supplemental district, and specific plan regulations. All regulations of the zone and any supplemental district or specific plan area in which the second unit is located shall apply, except as follows:

A. Any such zone, district, or specific plan regulation shall be superseded by a contrary provision in this Part 16 regulating the same matter if the provision of this Part 16 is more restrictive than such regulation;

B. The parking requirements in subsection E of Section 22.52.1180 shall supersede those of any contrary zone, district, or specific plan regulation;

C. No zone, district, or specific plan regulation that would require an initial discretionary review or hearing prior to the creation of a second unit shall apply; and

D. No zone, district, or specific plan regulation that prohibits a second unit shall apply.

22.52.1720 Prohibited areas. A second unit shall be prohibited, if any part of its building site, as defined in Section 21.08.040 of this code, is located as follows:

A. Within a significant ecological area, as defined in Section 22.08.190, or within an environmentally sensitive habitat area, as shown on the sensitive environmental resources map of the Malibu Land Use Plan;

B. On land with a natural slope of 25 percent or more; or

C. Within the boundaries of a noise zone, as described in Section 22.44.350.

22.52.1730 Permitted areas. A second unit shall be permitted in any area that is not prohibited under Section 22.52.1720, provided the applicant obtains one of the following:

A. A site plan approval, as provided in Part 12, Chapter 22.56, if the second unit's building site, as defined in Section 21.08.040 of this code, is located:

1. Outside of a Very High Fire Hazard Severity Zone, as defined in Section 223-V of Title 32 of this code;

2. Within an area that is served by a public sewer system; and

3. Within an area that is served by a public water system; or

B. A conditional use permit, as provided in Part 1, Chapter 22.56, if the second unit's building site, as defined in Section 21.08.040 of this code, does not meet all of the locational criteria described in subsections A.1, A.2, and A.3 of this Section.

C. To obtain a site plan approval under subsection A of this Section, the applicant shall file an application under Section 22.52.1760; to obtain a conditional use permit under subsection B of this Section, the applicant shall file an application under Section 22.52.1770.

22.52.1740 Use restrictions. The following restrictions shall apply to the development of a second unit:

A. A lot or parcel of land upon which a second unit is developed shall contain no more than one single-family residence;

B. No more than one second unit is permitted on any lot or parcel of land;

C. A second unit may not be separately sold from the single-family residence on the same lot or parcel of land, but it may be a rental unit;

D. A second unit applicant shall be an owner-occupant of the single-family residence that is located on the same lot or parcel of land. Thereafter, either the single-family residence or the second unit shall be owner-occupied in perpetuity. The applicant shall record in the office of the county recorder, an agreement to this effect as a covenant running with the land for the benefit of the county of Los Angeles, and the covenant shall also declare that any violation thereof shall be subject to the enforcement procedures of Part 6 of Chapter 22.60;

E. A second unit within an equestrian district shall be located at least 35 feet from any side or rear property line, unless the unit is attached to and entirely within the outside horizontal dimensions of an existing single-family residence; and

F. A second unit shall not be permitted on a lot or parcel of land where there exists any of the following:

1. A mobilehome or residence for use by a caretaker, as defined in Section 22.08.030, and the caretaker's immediate family;
2. A senior citizen residence, as defined in Section 22.08.180; or
3. Detached living quarters, as defined in Section 22.08.040.

22.52.1750 Development standards.

A. As used in this section, "urban area" means an area for which the maximum density permitted by this Title 22 or by the adopted general plan, whichever is less, is greater than one dwelling unit per acre; and "rural area" means an area for which the maximum density permitted by this Title 22 or by the adopted general plan, whichever is less, is one dwelling unit or less per acre.

B. A second unit shall be subject to the following development standards:

1. Single-Family Residence Standards. A second unit shall comply with the development standards for a single-family residence set forth in subsection A of Section 22.20.105, except for the width and floor area requirements of subsections A.3 and A.4 of that section;

2. Street Access. The lot or parcel of land on which the second unit is located shall take vehicular access from a street or highway with a right-of-way of at least 50 feet in width;

3. Parking. Parking for a second unit shall comply with the provisions of subsection E of Section 22.52.1180;

4. Floor Area. The floor area requirements for a second unit shall be as follows:

- a. The minimum floor area shall be 220 square feet; and
 - b. The maximum floor area shall vary depending on the location and size of the lot or parcel of land as follows:
 - i. In urban areas:
 - (1) 600 square feet, for lots or parcels of land less than 6,000 square feet in size;
 - (2) 800 square feet, for lots or parcels of land between 6,000 square feet and 7,499 square feet in size;
 - (3) 1,000 square feet, for lots or parcels of land between 7,500 square feet and 9,999 square feet in size; and
 - (4) 1,200 square feet, for lots or parcels of land 10,000 square feet or larger in size;
 - ii. In rural areas: 1,200 square feet;
5. Height. The maximum height of a second unit shall be as follows:

a. In urban areas:

- i. 17 feet for detached units; and
- ii. 20 feet for attached units, with the following

exceptions:

(1) Any portion of the structure that is set back more than 20 feet from the front property line may have an additional foot in height for every additional foot of setback, with a maximum of 35 feet in height; and

(2) Any portion of the structure that is set back more than five feet from the side property line may have an additional foot in height for every additional foot of setback, with a maximum of 35 feet in height;

b. In rural areas, 35 feet;

6. Minimum Lot Size. The minimum size of a lot or parcel of land on which a second unit is developed shall be:

a. In urban areas, a net area of 5,000 square feet, except that this standard shall not apply to an attached second unit that is added as a second story and is entirely within the outside horizontal dimensions of the existing structure; and

b. In rural areas, a gross area of one acre;

7. Maximum Lot Coverage. In urban areas, the maximum lot coverage for all buildings shall be 40 percent; and

8. Required Yards. In rural areas, each lot or parcel of land on which a second unit is developed shall have front, side, and rear yards of not less than 35 feet in depth.

C. Variances. The development standards in this section may be modified by variance in accordance with the provisions of Part 2 of Chapter 22.56.

22.52.1760 Application for site plan approval. An applicant for a second unit that is located in a permitted area governed by subsection A of Section 22.52.1730 shall submit a site plan and other documentation to substantiate that a proposed second unit complies with the provisions of this Part 16. In addition to the information and documents required by Section 22.56.1680, the submittal shall include the following:

A. Certifications by public sewer and public water purveyors, that the sewer and water facilities in the area are adequate to meet the demands of the second unit and all other properties served by the same sewer and water facilities;

B. If any portion of an exterior wall of the first story of the second unit will be located more than 150 feet from fire apparatus access, certification by the fire department that there exists a fire apparatus access road, as provided in Section 902.2.1 of Title 32 of this code;

C. Evidence that the applicant is an owner-occupant of the single-family residence located on the same lot or parcel of land on which the second unit is proposed;

D. Elevations of the second unit; and

E. Depiction on the site plan of all existing and proposed structures, driveways, and parking spaces.

22.52.1770 Application for conditional use permit. An applicant for a second unit that is located in a permitted area governed by subsection B of Section 22.52.1730 shall apply for and obtain a conditional use permit. The application for the conditional use permit shall contain, in addition to the materials required by Sections 22.52.1760 and 22.56.030, the following information and documents:

A. Application Within A Very High Fire Hazard Severity Zone. For a proposed second unit in a Very High Fire Hazard Severity Zone:

1. Preliminary verification, with conditions as applicable, by the county fire department and county department of public works that the existing single-family residence and second unit will be adequately protected against fire hazard; and

2. For a second unit within 200 feet of a nature preserve, wildlife habitat, park, forest, or similar area, owned by a public agency or non-profit organization, conceptual approval by the county fire department of a fuel modification plan that does not extend into these areas;

B. Application in Area With No Public Sewer System. For a proposed second unit within an area that is not served by a public sewer system, preliminary verification, with conditions as applicable, by the county department of health services that a private sewer system may be installed for the second unit in accordance with the guidelines of that department;

C. Application in Area With No Public Water System. For a proposed second unit within an area that is not served by a public water system, preliminary verification, with conditions as applicable, by the county fire department, county department of public works, and county department of health services that the existing or proposed water supply to the site will be adequate to serve, both the existing single-family residence and the second unit; and

D. All Applications. An assumption of risk, waiver of liability, and covenant not to sue by the applicant and the property owner, if different, and their successors for the county, its agents, officers, and employees, for damages resulting from approval of, or imposition of conditions on, a conditional use permit pursuant to this section.

SECTION 7. Subsection B of Section 22.56.1510 is hereby amended to read as follows:

22.56.1510 Regulations applicable. The following regulations shall apply to all nonconforming uses and to all buildings or structures nonconforming due to use and/or standards as specified herein:

...

B. Additions to a Nonconforming Use or a Building or Structure
Nonconforming Due to Use and/or Standards. This section does not authorize the extension, expansion, or enlargement of the area of land or the area within a building or structure devoted to a nonconforming use, or the alteration, enlargement of, or addition to a building or structure nonconforming due to use and/or standards, or permit the

addition of land, buildings, or structures used in conjunction with a nonconforming use or a building or structure nonconforming due to use and/or standards except:

1. To the extent required by a subsequently enacted or subsequently adopted law, ordinance or regulation, and the director so finds. Such additions as are permitted by this subsection shall not be construed to extend the termination date of the subject nonconforming use, or a building or a structure nonconforming due to use.

2. Additions may be made to a building nonconforming due to use and/or standards which is designed for and used as a residence without requiring any additional parking space or driveway paving; provided that such additions neither increase the number of dwelling units in such structure, nor occupy the only portion of an area which can be used for required parking space or access thereto.

Notwithstanding the foregoing, a second unit in compliance with Part 16 of Chapter 22.52 may be developed on a lot or parcel of land containing a single-family residence nonconforming due to standards, provided that where the single-family residence is nonconforming due to parking standards, sufficient parking shall be provided to ensure that both the single-family residence and the second unit comply with the applicable provisions of Section 22.52.1180.

[SecondUnitLHCOC]

Appendix B

Working Draft of Farm Worker Housing Ordinance

DRAFT

DRAFT ORDINANCE (8/29/02)

An ordinance amending Title 22- Planning and Zoning of the Los Angeles County Code to define farm worker and farm worker housing and permit farm worker housing in Agricultural zones (A-1 and A-2) subject to a Director's Review.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 22.08.060 is amended to add the following definition in alphabetical order:

22.08.230 F.

...

"Farm Worker" means any employee engaged in agriculture as defined in the California Labor Code, including any person who works at a packing shed for a labor contractor or other entity that contracts with an agricultural employer in order to perform handling, drying, packing, or storing services for any agricultural commodity in its raw or natural state as specified in the California Health and Safety Code.

"Farm Worker Housing" means housing reserved for farm workers.

...

SECTION 2. Subsections 22.24.090.B and 22.24.140.B shall be amended to add the list of uses subject to director's review and approval in Zones A-1 and A-2 in alphabetical order as follows:

...

-- Farm Worker Housing, on a lot or parcel of land having, as a condition of use, an area of not less than 10 acres where designated prime agricultural land on the

DRAFT

Department of Regional Planning
Draft Farm Worker Housing Ordinance

California Department of Conservation's Important Farmland Map, or having an area of not less than 40 acres where designated not prime agricultural land on this map, housing type being either row housing, multifamily housing or some form of group quarters.

...

General Plan Development Section

Appendix C

Housing Advisory Committee Roster

Los Angeles County Housing Advisory Committee Members

Kenneth C. Bank, Riverbank Development
Charles O. "Butch" Grimes, Jr., Team Equity L.A. Property and Management
Steve Goddard, California Association of Realtors
Alfredo R. Izmajlovich, Southern California Housing Development Corporation
Mary Kaiser, California Community Reinvestment Corporation
Stephanie Klasky-Gamer, Los Angeles Community Design Center
Allan D. Kotin, Allan D. Kotin & Associates
Steve Lamb, Altadena Town Council
Charles J. Moore, Cox, Castle & Nicholson
David Myerson, Resource Opportunity Group
Tim O'Connell, Century Housing Corporation
Stephen E. Olson, The Olson Company
Ray Pearl, Newhall Land
Henry Porter, Jr., Southwest Community Association
Benjamin M. Reznik, Jeffer, Mangels, Butler & Marmaro
Ann Sewill, The Enterprise Foundation
Paul Zimmerman, West Hollywood Community Housing Corporation

Appendix D

Housing Advisory Committee Agendas and Meeting Notes



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



James E. Hartl, AICP
Director of Planning

August 24, 2004

TO: Housing Advisory Committee

FROM: Julie Moore, Head
Community Studies I Section

SUBJECT: MEETING NOTICE/AGENDA

The next meeting of the Housing Advisory Committee is scheduled for:

Day/Date: Thursday, September 23, 2004
Time: 9:00 – 11:00 A.M. (Refreshments will be
available at 8:30 a.m.)
Location: Kenneth Hahn Hall of Administration
Room 864
500 West Temple Street
Los Angeles, CA 90012

Please park in Lot 11, 227 N. Spring Street, entering from Spring, or Lot 26, 120 S. Olive Street, entering from First Street; both are operated by 5-Star Parking Services. Bring Parking Ticket to meeting for validation.

AGENDA

1. Introductions and Reports Julie Moore, AICP
2. Presentation and Discussion: Lee Stark
 - County General Plan Update General Plan
 - Program – Developing Land Use Development Section
 - Policies and Programs That
 - Support Infill Housing
3. Discussion Julie Moore, AICP
 - Other Matters
4. Schedule Next Meeting Date

MEETING NOTES

LOS ANGELES COUNTY HOUSING ADVISORY COMMITTEE

Meeting Date: September 23, 2004

Attendees:

Members:

Kenneth Banks, Riverbank Development
Alfredo Izmajtovich, Southern California Housing Development Corporation
Mary Kaiser, California Community Reinvestment Corporation
Stephanie Klasky-Gamer, Los Angeles Community Design Center
David Myerson, Environment Now
Stephen E. Olson, The Olson Company
Ray Pearl, Building Industry Association
Henry Porter, Jr., Southwest Community Association

Regional Planning Commission:

Leslie Bellamy, Planning Commissioner, Chairman

Department of Regional Planning

Julie Moore, AICP, Community Studies I
Mark Child, Community Studies I
Adrine Arakelian, Community Studies I
Connie Chung, Community Studies I
Lee Stark, General Plan Development
Mark Herwick, General Plan Development
Carol Roskam, General Plan Development

Other Attendees:

Blair Babcock, Los Angeles County Community Development Corporation
Bill Huang, Los Angeles County Community Development Corporation
Stacey Roa, Fourth Supervisorial District Office

Introductions

Welcoming comments from Julie Moore, Department of Regional Planning.

Self-introductions provided by the Committee members, the planning staff and other attendees.

Presentation

General Plan Development section head Lee Stark and staff member Mark Herwick presented an overview of the General Plan Update. They distributed copies of *Shaping the Future 2025* -- a summary of the draft General Plan, a draft of the Land Use Legend and an explanation of the Land Use Legend categories. *Shaping the Future 2025* is available on the DRP's website at:

http://planning.co.la.ca.us/gp_update/drp_gp_shaping.htm.

General Plan Update – Lee Stark and Mark Herwick, General Plan Development Section

Lee Stark gave an overview of the comprehensive update of the 1980 General Plan to the Committee. In particular, he outlined the changes made to the Significant Ecological Area (SEA) program. The SEAs are mostly within non-urban areas. The changes, which were made in response to extensive community input, include expanding the SEAs and designating those new areas as “Resource Evaluation Areas.” Lee Stark informed the Committee that part of the process of reevaluating the SEAs includes additional work by the SEA consultant (PCR) to refine/update the boundaries of the existing SEAs.

Another change Lee Stark explained in detail is the proposed adjustments to the urban residential density classifications in the General Plan Update, largely to reflect the change in calculating residential densities based on net acreage instead of gross acreage – as it is currently calculated. He explained that DRP is proposing to adjust and strengthen the General Plan’s urban infill policy to allow an increase in density in some urban areas without the need for a General Plan Amendment. Julie Moore emphasized the importance of this as the DRP develops more sophisticated, parcel-specific maps as part of the Land Use Element update. Lee Stark also reported that in calculating densities for urban areas, it made more sense for staff to use net acreage rather than gross acreage, which adjusts and in some cases slightly increases allowable densities in urban areas.

Mark Herwick presented two maps, one with existing SEAs and one with proposed SEAs. He also distributed copies of the draft Land Use Legend, along with copies of the draft of Land Use Legend explanations. Committee members can obtain copies by writing to: generalplan@planning.co.la.ca.us.

Lee Stark reported that they should have a preliminary draft of the updated General Plan by the end of the year.

Discussion

Density and Infill Development

The Committee discussion opened with concerns over infill development in urban areas where communities lack infrastructure. The West Athens-Westmont community, for example, attributes an increase in crime and overcrowding to a recent increase in density (from R-1 to R-2) in their neighborhood. One Committee member stressed the importance of considering the implications that density can have on certain neighborhoods, and making a sincere effort to involve communities in the development process.

While the concerns raised over density were well-taken, some Committee members emphasized the need to look at the bigger picture. One Committee member made the

point that it is impossible to have a comprehensive housing strategy without an urban infill strategy. Another Committee member added that many communities that lack infrastructure have hidden, “unplanned density,” and that perhaps adding more housing units in some of these neighborhoods would actually accommodate the existing housing need.

Many concurred that developers are willing to take on infill projects – despite the higher costs – as long as local governments can ensure speed and certainty as well as strong political support. Some developers are willing to invest the time and the money for infill development if the approvals process is expedited.

Moving Committee Goals Forward

Committee members expressed concerns that the HAC has not fulfilled its purpose, which is to make recommendations on how the County can eliminate regulatory barriers to housing development, and concurred that there is a need for the County to move forward with its housing goals. One Committee member felt that the proposed changes to the SEAs, for example, do not necessarily reduce governmental barriers, uncertainty in the approvals process, NIMBYism, etc. The Committee agreed that there is a need to develop standards and streamline the approvals process.

The Committee offered some solutions. Los Angeles County CDC staff suggested drafting an affordable housing ordinance, in which affordable housing incentives are “packaged”—similar to the City of Los Angeles’ Affordable Housing Ordinance. Committee members agreed that there is no need to reinvent the wheel, and that the Department should look at precedents and best practices.

The Committee was supportive of the County developing and implementing a master overlay zone with standards as a way to expedite rezoning. Although the process to establish an overlay zone would be long, many of the Committee members agreed that it would be worth the effort.

Two successful examples of using overlay zones to facilitate development were mentioned during the discussion. One example is an overlay zone that was established in the City of Oakland, in which projects were approved administratively and in which the development process was fast-tracked to 9 months. Developers also conducted independent community outreach throughout the process. The other example is a project in San Diego, in which the Centre City Development Corporation (CCDC) worked as independent consultants and facilitated an “overlay zone-like process” to transform parts of downtown San Diego.

One Committee member cautioned that establishing programs, like overlay zones, might not necessarily guarantee an expedited process. The City of LA’s RAS zone program, for one, still requires the same approvals process that it had originally aimed to expedite.

DRP staff added that overlay zones may be difficult when thinking in terms of parcel-specific locations.

Lastly, Los Angeles County CDC staff pointed out that many of the ideas discussed at the meeting were covered in the 2001 Housing Report to the Board of Supervisors, and it was suggested that the DRP staff should redistribute copies of the report to the Committee. The following issues were also identified for follow-up by the planning department:

- Redistributing the 2001 report to the Board of Supervisors to Committee members. Julie Moore noted to the Committee that one of the recommendations of the HAC report is to implement the recommendations from the 2001 Board Report.
- Drafting affordable housing-related ordinances, such as density bonus by right.
- Exploring an affordable housing ordinance, similar to that of the City of Los Angeles.
- Sending the Committee a draft of the HAC report recommendations implementation plan, scheduled to be completed in early December.
- Researching precedents and best practices.

Concluding Remarks

Lee Stark responded to the Committee's comments overall by reemphasizing the need for the County to come up with standards to make increasing density a more positive process. He indicated that his section is aiming to develop procedures "friendly" enough to attract development, but with enough control to get community input. In other words, staff is looking at developing a process that is discretionary, but not as major as a General Plan Amendment.

Lee Stark added a list of improvements that the DRP can make to help facilitate housing development. One thing the Department could do is develop a brochure that informs the public of tools and resources available to them. Another is to update the Zoning Code to be consistent with the General Plan. Finally, another thing the Department can do is to look closer at infill development issues in the context of the Housing Element update for 2006.

Julie Moore added that the Community Studies I section is currently determining what resources are needed to implement the recommendations from the HAC Interim Report. With the recent addition of a new County staff member, dedicating her time mostly to Housing Element implementation work, more progress will be made in addressing housing issues in unincorporated Los Angeles County. She anticipates having a draft strategy prepared by early December for discussion with the Committee.

Committee members may contact Julie Moore via e-mail at jmoore@planning.co.la.ca.us, or by FAX to Julie's attention at (213) 626-0434.

Next Meeting Date

The next meeting is scheduled for **Thursday, December 2, 2004, from 9-11 a.m.** (refreshments will be provided beginning at 8:30 a.m.) and will be held at the Kenneth Hahn Hall of Administration, Room 864, 500 West Temple Street, Los Angeles 90012.

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Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



James E. Hartl, AICP
Director of Planning

November 22, 2004

TO: Housing Advisory Committee

FROM: Julie Moore, Head
Community Studies I Section

SUBJECT: MEETING NOTICE/AGENDA

The next meeting of the Housing Advisory Committee is scheduled for:

Day/Date: Thursday, December 2, 2004
Time: 9:00 – 11:00 A.M. (Refreshments will be
available at 8:30 a.m.)
Location: Kenneth Hahn Hall of Administration
Room 864
500 West Temple Street
Los Angeles, CA 90012

Please park in Lot 11, 227 N. Spring Street, entering from Spring, or Lot 26, 120 S. Olive Street, entering from First Street; both are operated by 5-Star Parking Services. Bring Parking Ticket to meeting for validation.

AGENDA

1. Introductions and Reports Julie Moore, AICP
2. Presentation and Discussion: Connie Chung
Community Studies I
 - Affordable Housing Density
 - Bonus Ordinance update
 - SB 1818
3. Discussion: Julie Moore, AICP
 - LA County Infill Estimation Project
4. Schedule Next Meeting Date

MEETING NOTES

LOS ANGELES COUNTY HOUSING ADVISORY COMMITTEE

Meeting Date: December 2, 2004

Attendees:

Members:

Kenneth Bank, Riverbank Development
Steve Lamb, Altadena Town Council
David Myerson, Resource Opportunity Group, Inc.
Tim O'Connell, Century Housing Corporation
Stephen E. Olson, The Olson Company
Henry Porter, Jr., Southwest Community Association

Regional Planning Commission:

Leslie Bellamy, Planning Commissioner, Chairman

Department of Regional Planning

Julie Moore, AICP, Community Studies I
Mark Child, AICP, Community Studies I
Adrine Arakelian, Community Studies I
Connie Chung, Community Studies I
Lee Stark, General Plan Development
Carol Roskam, General Plan Development

Other Attendees:

Stacey Roa Falcioni, Fourth Supervisorial District Office
Bill Huang, Los Angeles County Community Development Commission
Pansy Yee, Los Angeles County Community Development Commission

Introductions

Welcoming comments from Julie Moore, Department of Regional Planning.

Self-introductions provided by the Committee members, the planning staff and other attendees.

Presentation

Julie Moore and Connie Chung provided an overview of the recent changes to Section 65915 of the CA Gov. Code, the State density bonus law, due to the passage of SB 1818. They distributed some background materials, including articles on SB 1818, a report that compares the State density bonus law to the density bonus provisions in the Los Angeles County Code, and a supplement of referenced County and State laws.

Connie Chung described the changes made to the State density bonus law. The Committee was given a step-by-step comparison of the affordable housing density bonus provisions in the Los Angeles County Code and Section 65915 of the CA Government Code. To request copies of the materials distributed during the presentation, please contact Connie Chung at cchung@planning.co.la.ca.us.

Discussion

The Committee responded to the presentation with clarification questions, as well as suggestions on how the County could amend the current affordable housing density bonus provisions in Los Angeles County Code. In particular, questions from the Committee arose about whether or not, as well as to what extent, the process of granting a density bonus would be "discretionary" or "by-right," and what processes would require an environmental review.

SB 1818

-Concessions/Incentives

On implementing new provisions for the granting of incentives and concessions, the Committee suggested that the DRP should come up with a list of "acceptable" concessions and development standards. Although the State law provides that the local government must consider all incentives and concessions requested by the applicant, the Committee felt that it would be helpful and expedite the process to have a list of suggested or pre-approved list of incentives and concessions.

In addition, the Committee raised concerns about how fee waivers would work in the context of granting incentives and concessions, and how the County would fund the monitoring of the income restricted units. In the past, CDC had been designated to monitor the affordable units from density bonus cases; however, CDC staff indicated that the funds to monitor those units do not exist in the present. It was suggested that DRP could monitor the units, but the question of how the task would be funded still remains. It was also unclear whether or not staff would have the authority to levy fees when requested as a concession for a density bonus project. Staff indicated that they would research the issue and report back to the Committee.

-Land Donations

There was some confusion over the land donation provision to qualify for density bonuses. Staff clarified that the donated land must be in proximity, either part of the development or within ¼ mile of the project in which the density bonus would be applied, and situated within the same jurisdiction.

Looking at the Bigger Picture

The Committee was supportive of implementing the State-mandated changes to the County's density bonus provisions, but also pointed out the importance of looking at the bigger picture.

One example cited was the recent housing policies of Mayor Jerry Brown in Oakland, in which he set a goal to build 10,000 units and then did everything in his power to reach that goal. Another example cited was the scatter lot program in Ohio, which entailed a collaborative process to define strategic areas, as well as establish guidelines and pre-approved projects.

CDC responded by saying that in order to achieve the bigger picture, the County needs to have a champion for housing.

Going Beyond State-Mandated Requirements

The State density bonus provisions suggest a maximum density bonus of 35%, depending on the percentage set-aside for affordable housing (as well as the income level served), while the County's provisions caps the maximum at 50%. While the Committee agreed that the County should continue to grant density bonuses up to 50%, the Committee also agreed that some kind of environmental mitigation should be required if an applicant opts for a density bonus greater than 35% (up to 50%).

In the context of NIMBYism, the Committee raised the possibility of distinguishing between ownership and rental when processing density bonus cases by-right or with a discretionary review, since homeownership projects tend to be more accepted by the public than rental projects. However, not all Committee members agreed with this point.

The Committee also discussed the implications of granting density bonuses by right for more controversial projects, such as housing for the mentally ill. As a possible solution, the Committee suggested finding a way in which staff could look at a site to determine whether or not a director's review would be appropriate.

While the State law's provisions on granting incentives and concessions include parking reductions, the Committee suggested the granting of reduced parking for all affordable housing projects, including projects that are 100% affordable, for seniors or near transit--similar to parking reductions offered by the City of Los Angeles.

Furthermore, the Committee pointed out that very low income housing developments often require services, and spaces for those services, and consequently encounter more difficulty in the permitting process. The Committee suggested finding a way to accommodate applicants of very low income housing with service requirements, in addition to the child care facility provisions included in the State density bonus law.

The following issues were identified for follow-up by the planning department:

- Go the RPC with the support of the Committee to recommend that the RPC initiate the preparation of an ordinance amending the County's density bonus program, and to draft and implement policy guidelines, in order to comply with the State density bonus law, in the interim.

- Follow up with County Counsel on which fees can be waived as a concession for density bonus projects, and how fee waivers might affect the monitoring of affordability for density bonus projects.
- Research approaches that bring overall vision-driven approaches, such as the examples cited in Ohio and Oakland, CA.
- Research what additional provisions that go beyond the minimum requirements State-mandated requirements other local jurisdictions have added to their density bonus provisions.

Concluding Remarks

Julie Moore responded to the Committee's comments overall by outlining the general steps needed to implement the changes in the State density bonus law. Ms. Moore also indicated that staff would go to the Regional Planning Commission in late January, with the support of the Committee, to recommend making a motion to instruct planning staff to initiate the preparation of an ordinance updating the County's density bonus program.

Ms. Moore also informed the Committee of a study that will be underway in mid-December to evaluate the infill potential of the Green Line TODs. Ms. Moore also informed the Committee that pending the approval of funds from SCAG, DRP would also apply this infill evaluation methodology to all of the urban areas of unincorporated Los Angeles County.

Committee members may contact Julie Moore at (213) 974-6425, via e-mail at jmoore@planning.co.la.ca.us, or by FAX to Julie's attention at (213) 626-0434.

Next Meeting Date

The next meeting is scheduled for **Thursday, March 3, 2005, from 9-11 a.m.** (refreshments will be provided beginning at 8:30 a.m.) and will be held at the Kenneth Hahn Hall of Administration, **Room 739**, 500 West Temple Street, Los Angeles 90012. ****Please note the room change.****



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



James E. Hartl, AICP
Director of Planning

February 10, 2005

TO: Housing Advisory Committee
FROM: Julie Moore, AICP, Head
Community Studies I Section
SUBJECT: MEETING NOTICE/AGENDA

The next meeting of the Housing Advisory Committee is scheduled for:

Day/Date: Thursday, March 3, 2005
Time: 9:00 – 11:00 A.M. (Refreshments will be
available at 8:30 a.m.)
Location: Kenneth Hahn Hall of Administration
Room 739 (Please note room change)
500 West Temple Street
Los Angeles, CA 90012

Please park in Lot 11, 227 N. Spring Street, entering from Spring, or Lot 26, 120 S. Olive Street, entering from First Street; both are operated by 5-Star Parking Services. Bring Parking Ticket to meeting for validation.

AGENDA

1. Introductions and Reports Julie Moore, AICP
2. Presentation and Discussion Julie Moore, AICP
 - Green Line Transit Oriented District (TOD) Draft Infill Evaluation Study
3. Discussion
 - Density Bonus Update
 - Other Matters
4. Schedule Next Meeting Date

MEETING NOTES

LOS ANGELES COUNTY HOUSING ADVISORY COMMITTEE

Meeting Date: March 3, 2005

Attendees:

Members:

Kenneth Bank, Riverbank Development
Alfredo Izmajtovich, Southern California Housing Development Corporation
Stephanie Klasky-Gamer, Los Angeles Community Design Center
David Myerson, Resource Opportunity Group, Inc.
Tim O'Connell, Century Housing Corporation
Stephen E. Olson, The Olson Company
Henry Porter, Jr., Southwest Community Association

Department of Regional Planning

Lee Stark, General Plan Development
Julie Moore, AICP, Community Studies I
Adrine Arakelian, Community Studies I
Connie Chung, Community Studies I
Mark Herwick, General Plan Development
Carol Roskam, General Plan Development
Kari Davis, Countywide Studies

Other Attendees:

Bill Fulton, Solimar Research Group, Inc.
Ann Daigle, Planning and Urban Development Manager, City of Ventura
Blair Babcock, Los Angeles County Community Development Commission

Introductions

Welcoming comments from Julie Moore, Department of Regional Planning.

Self-introductions provided by the Committee members, the planning staff and other attendees.

Presentation

Julie Moore introduced Bill Fulton, President of the Solimar Research Group and the County's consultant for the Green Line TOD Infill Study, which is a study commissioned by the Department of Regional Planning at the request of the Second Supervisorial District.

Bill Fulton outlined the objective of the meeting, which was to ask the Committee members to offer suggestions on improving the pro forma analysis portion of the Green Line TOD Infill Study. In particular, he was interested in asking the Committee members about assumptions made in the analysis, including land and parking costs, as well as what would encourage a private landowner to sell their property or how a developer values a CUP vs. a non-discretionary

review. Mr. Fulton emphasized that the pro forma analysis is meant to be a quick, back-of-the-envelope calculation of development potential, and is meant more to illustrate how the incentives offered by the recently adopted Green Line TOD ordinance increases the infill development potential, than to provide a comprehensive real estate development analysis.

Discussion

Green Line TOD Pro forma Analysis—Cost Assumptions

Many Committee members felt that the \$40/sq ft assumption for land acquisition in Lennox seemed too low. Several indicated that a price that low would raise eyebrows, and perhaps include “hidden costs” such as environmental clean-up and remediation costs.

Regarding parking, it was indicated that structured parking is often needed in order to make the numbers work for a project, for example, with around 50 dwelling units and considerable subsidies. It was noted that in San Diego the cost of parking is around \$65/sq ft, or \$190/sq ft for the whole project, including parking. Depending on the materials, the cost could escalate by 10% or more.

Infill Development and Business Buyout

Bill Fulton added that another important aspect of infill development is business buy-out—especially when there is a need to consolidate parcels. He commented on the low turnover in commercial properties in Lennox, pointing to few sales since 1990. Many of the Committee members agreed that a date-of-last-sale map would have been helpful to illustrate this point.

Green Line TOD Ordinance Incentives/Disincentives

The Committee recommended other ways in which the Green Line TOD ordinance could be more effective. The Committee concurred that the density bonus, for example, does not work as much of an incentive if there are too many development standards. In addition, the Committee noted that lot size does not change, so additional units either have to be smaller, or you need to build up. At a certain point it does not become worth it to do the project. The HAC agreed that with some exceptions, the breakpoint for a workable infill project is around 50-100 units.

Several Committee members suggested that height drives opportunity, although increasing heights can trigger a community backlash or NIMBYism.

Getting More Mileage out of the Pro Forma Analysis

One Committee member suggested that at the end of the day, you can tweak a project ie., densities, to make it work. He referred to a public-private partnership in the City of Oakland, which was unsubsidized, as an example of successful collaboration between the City and the developer.

On that note, the Committee felt that the Green Line Infill Study pro forma analysis could benefit from sitting down with people who are familiar with the cost and return assumptions. Steve Olson offered to send development managers from the Olson Company to sit down with Bill Fulton and DRP staff to further refine the pro forma analysis. Other Committee members expressed an interest in participating in this type of meeting as well.

The following issues were identified for follow-up by the planning department:

- Meet with staff from the Olson Company, and other available Committee members or their staff, to further refine the pro forma analysis section of the Green Line TOD Infill Study.

Concluding Remarks

Ms. Moore closed the discussion by accepting the offer to meet with staff from the Olson Company, and other available Committee members, to further identify and explore realistic assumptions and development strategies that can improve the Green Line TOD Infill Study's pro forma analysis..

Ms. Moore informed the Committee of SCAG's recent approval of the DRP's grant proposal to apply the methodology used for the Green Line TOD Infill Study to other urban, unincorporated areas of the County. In addition, the Committee was informed of the recent steps taken by the County Board of Supervisors to establish a new redevelopment area in the Whiteside neighborhood, in unincorporated East Los Angeles. The Committee was also advised that the Regional Planning Commission had made a motion in late January 2005 to instruct DRP staff to begin taking the necessary steps to amend the County Code to reflect the changes made to the state density bonus law. In the coming months, the DRP will ask the Committee for feedback on the draft ordinance.

Committee members may contact Julie Moore at (213) 974-6425, via e-mail at jmoore@planning.co.la.ca.us, or by FAX to Julie's attention at (213) 626-0434.

Next Meeting Date

The next meeting is scheduled for **Thursday, May 12, 2005, from 9-11 a.m.** (refreshments will be provided beginning at 8:30 a.m.) and will be held at the Kenneth Hahn Hall of Administration, **Room 864**, 500 West Temple Street, Los Angeles 90012.



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



James E. Hartl, AICP
Director of Planning

April 26, 2005

TO: Housing Advisory Committee
FROM: Julie Moore, Head
Community Studies I Section

SUBJECT: MEETING NOTICE/AGENDA

The next meeting of the Housing Advisory Committee is scheduled for:

Day/Date: Thursday, May 12, 2005
Time: 9:00 – 11:00 A.M. (Refreshments will be
available at 8:30 a.m.)
Location: Kenneth Hahn Hall of Administration
Room 864
500 West Temple Street
Los Angeles, CA 90012

Please park in Lot 11, 227 N. Spring Street, entering from Spring, or Lot 26, 120 S. Olive Street, entering from First Street; both are operated by 5-Star Parking Services. Bring Parking Ticket to meeting for validation.

AGENDA

1. Introductions and Reports
Julie Moore, AICP
Community Studies I Section
2. Presentation and Discussion:
- Potential Amendments to the
County Code to Promote
Affordable Housing
Julie Moore, AICP
3. Presentation and Discussion:
- Potential Amendments to the
County Code applicable to
single-family residential development
in newly proposed subdivisions
Leonard Erlanger
Ordinance Studies Section
4. Schedule Next Meeting Date

MEETING NOTES

LOS ANGELES COUNTY HOUSING ADVISORY COMMITTEE

Meeting Date: May 12, 2005

Attendees:

Members:

Mary Kaiser, California Community Reinvestment Corporation
Stephanie Klasky-Gamer, Los Angeles Community Design Center
Steve Lamb, Altadena Town Council
Tim O'Connell, Century Housing Corporation
Stephen E. Olson, The Olson Company
Henry Porter, Jr., Southwest Community Association
Benjamin Reznik, Jeffer, Mangels, Butler & Marmaro LLP
Paul Zimmerman, West Hollywood Community Housing Corporation

Department of Regional Planning

Julie Moore, AICP, Community Studies I
Mark Child, AICP, Community Studies I
Adrine Arakelian, Community Studies I
Connie Chung, Community Studies I
Leonard Erlanger, Ordinance Studies
Alyson Phillips, Ordinance Studies

Other Attendees:

Blair Babcock, Los Angeles County Community Development Commission
Stacey Roa-Falcioni, Fourth Supervisorial District

Introductions

Welcoming comments from Julie Moore, Department of Regional Planning (DRP).

Self-introductions provided by the Committee members, the planning staff and other attendees.

Presentation

Julie Moore introduced Leonard Erlanger, head of the Ordinances Studies Section, who presented some preliminary concepts for addressing community concerns over large houses on small lots and monotonous design in new subdivisions in the Santa Clarita Valley area.

Mr. Erlanger provided the Committee members with copies of an outline that summarized the concepts that could be included in an ordinance regulating large houses on small lots in new subdivisions. Mr. Erlanger reminded the Committee that the ordinance was initiated by a Board motion, a couple of years ago, and indicated that most of the concerns have come from a few constituents in the Fifth District. Mr. Erlanger informed the Committee that he would also seek input from the BIA on the same concepts. Leonard Erlanger can be contacted at (213) 974-6432 or lerlanger@planning.co.la.ca.us.

In addition, Julie Moore gave the Committee an update on the Department's efforts to amend the density bonus provisions in the Zoning Code in response to last year's passage of SB1818. The draft interim guidelines to implement the state density bonus law are undergoing internal review and will be available to the Committee shortly. The DRP will e-mail as well as distribute hard copies of the interim guidelines to the Committee when completed. Ms. Moore also informed the Committee that a public hearing for the density bonus ordinance has been set at the Regional Planning Commission for June 22, 2005, and should go to the Board of Supervisors before the end of the year.

Ms. Moore noted that the Department will likely propose to administer density bonuses through a "housing permit", which would be an administrative non-discretionary procedure that would replace the present CUP requirement.

Ms. Moore also indicated that the draft ordinance focuses on incentives and concessions, which include but are not limited to, an increase in height limits, parking reductions, etc. The list of possible incentives and concessions in the present draft includes a density bonus of more than 35 percent.

Furthermore, Ms. Moore informed the Committee of how CEQA applies to the density bonus ordinance. As a Negative Declaration has been proposed, based on the preparation of an Initial Study, Ms. Moore added that environmental considerations for density bonus cases would be considered on a project-by-project basis.

Discussion

Big Houses on Small Lots in Santa Clarita

After a lively discussion over defining both the problem and the appropriate level in which government should regulate "taste", the Committee made it clear that it does not support the ordinance concepts for regulating large houses on small lots in new subdivisions. In response, Mr. Erlanger cited that the Fifth District made the motion requesting a "big house" ordinance with a related conditional use permit (CUP) requirement, so that staff would have to prepare such an ordinance.

The Committee had the following comments regarding the principal issues discussed:

Government should not regulate "taste"

The Committee concurred that the County should not attempt to regulate things like privacy and taste. The Committee suggested that the free market should decide these things, not local government. The Committee noted that the County already plays a role in regulating for adequate light and air through Titles 21 and 22. Several Committee members also questioned how "mansionization" could be limited to just one area, when in fact, the problem exists

everywhere. Some Committee members felt that mansionization ordinances in other cities are very ineffective.

Mr. Erlanger acknowledged that many zoning regulations affect light and air, and that all zoning regulations have financial implications for various property owners and builders. He stated that there is a spectrum of views on such issues, and he understood where the Committee stands within that spectrum.

The concepts seem exclusionary

The Committee also expressed concern over the fact that adding such provisions drives up the costs of housing. Some even questioned where the complaints are coming from—considering the fact that the housing in question would be in new subdivisions. The fact that they are being built goes back to the free market point raised earlier, and indicates that the buyers are not the ones who are complaining.

Specific problems identified in the outline of concepts on "mansionization"

More specifically, the Committee pointed out disparities in the outline of concepts related to ownership issues. For one, the Committee pointed out how the outline uses an incorrect definition of "condominiums"—which should refer to ownership and not building type. If design is physical in nature, the Committee asked why the County would concern itself over housing "tenure". In addition, one Committee member pointed out problems with Item #6 on the outline, once again questioning why a regulatory body would care who develops—especially if the DRP has no control over ownership. The Committee strongly suggested consulting with County Counsel on this issue.

In response, Mr. Erlanger explained that the County cannot condition a subdivision for which the subdivider will not be the builder and so related plans and exhibits would need to be deferred to a later date when the developer buys the land, and the subdivision can be conditioned to require such plans and exhibits at that time.

Recommendations

Based on the discussion, the Committee made the following recommendations:

- Develop guidelines rather than an ordinance; or
- Develop a community standards district (CSD) specifically for Santa Clarita, and conduct outreach efforts in Santa Clarita. Regarding outreach, the Committee also recommended talking to the people who actually live in large houses on small lots; or,
- Encourage developers to apply more innovative site planning and design guidelines.

The Committee members stated that, while strongly opposing such an ordinance, if an ordinance is required then it should include the following:

- Stagger the front yard setbacks on residences on adjoining lots,
- Adjust side yard requirements in relation to the width of lots.

Affordable Housing and Density Bonus Update

The Committee asked where the line exists between a concession/incentive that could be granted as a variance. Ms. Moore responded that it depends on who needs to approve the concession/incentive, and that this may be an area where the DRP needs to be the coordinator. Ms. Moore also emphasized, though, that at no time is the local jurisdiction expected to approve a development that falls below health and safety standards.

The Committee also asked if the DRP had studied the impacts of potential concessions/incentives and/or considered providing a list of the most common concessions/incentives. Although it was clear after the discussion that the developer has the opportunity to request practically any incentive or concession, the Committee felt that it would be helpful if the DRP could provide guidance on the ones that would, with some certainty, get approved.

On parking reductions, the Committee commented that the concession/incentive to reduce parking is often not used in urban areas where the infrastructure is fixed because the parking is usually needed. The Committee added that without adequate parking, it is often difficult to interest lenders in the project. In addition, the Committee indicated that automobile ownership may be lower for occupants of affordable housing developments, but not to the degree that parking can be significantly decreased. Furthermore, the Committee added that employment centers are moving to suburbs, which creates a problem for low-income urban inhabitants who are dependent on public transit but are unable to use public transit to get to work.

The following issues were identified for follow-up by the planning department:

- ξ Leonard Erlanger may contact some of the Committee members regarding further input on the proposed Large Houses on Small Lots Ordinance.
- ξ The DRP will send copies of the Density Bonus Interim Guidelines to the Committee members once they have been completed.

Concluding Remarks

Leonard Erlanger indicated that he would inform the Fifth District of the recommendations and the issues raised by the Committee regarding the Large Houses on Small Lots provisions. On another note, he informed the Committee that he will ask for their input again once the Ordinance Studies section has begun work on the Comprehensive Zoning Code Update.

In addition, Ms. Moore informed the Committee of the County's possible plans to have a new section dedicated to housing within the Department of Regional Planning.

Committee members may contact Julie Moore at (213) 974-6425, via e-mail at jmoore@planning.co.la.ca.us, or by FAX to Julie's attention at (213) 626-0434.

Next Meeting Date

The next meeting is scheduled for **Thursday, August 11, 2005, from 9-11 a.m.** (refreshments will be provided beginning at 8:30 a.m.) and will be held at the Kenneth Hahn Hall of Administration, **Room 864**, 500 West Temple Street, Los Angeles 90012.



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



James E. Hartl, AICP
Director of Planning

July 28, 2005

TO: Housing Advisory Committee
FROM: Julie Moore, Head
Community Studies I Section
SUBJECT: MEETING NOTICE/AGENDA

The next meeting of the Housing Advisory Committee is scheduled for:

Day/Date: Thursday, August 11, 2005
Time: 9:00 – 11:00 A.M. (Refreshments will be
available at 8:30 a.m.)
Location: Kenneth Hahn Hall of Administration
Room 864
500 West Temple Street
Los Angeles, CA 90012

Please park in Lot 11, 227 N. Spring Street, entering from Spring, or Lot 26, 120 S. Olive Street, entering from First Street; both are operated by 5-Star Parking Services. Bring Parking Ticket to meeting for validation.

AGENDA

1. Introductions and Reports
Julie Moore, AICP
Community Studies I Section
2. Presentation and Discussion:
- Density Bonus Ordinance: Menu
of specified incentives/concessions
Julie Moore, AICP
3. Presentation and Discussion:
- Options for allowing residential and
mixed-use developments in commercial
zones through an administrative procedure.
Connie Chung
Community Studies I Section
4. Other
5. Schedule Next Meeting Date

Appendix E

Board Report on Mixed Use Development and the Board's Motion



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



September 15, 2005

James E. Hartl AICP
Director of Planning

TO: Supervisor Gloria Molina, Chair
Supervisor Yvonne B. Burke
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

FROM: James E. Hartl, AICP
Director of Planning

SUBJECT: REPORT ON ALLOWING RESIDENTIAL AND MIXED-USE
DEVELOPMENTS IN COMMERCIAL ZONES THROUGH AN
ADMINISTRATIVE PROCEDURE (SYN. NO. 2, JUNE 21, 2005)

On June 21, 2005, on a motion by Supervisor Molina, your Board directed this Department to report back with findings and recommendations for allowing residential and mixed-use (residential/commercial) developments in commercial zones through an administrative, non-discretionary procedure, within the unincorporated areas. The Board motion directs the Department of Regional Planning to do the following:

1. Study and make recommendations on options for modifying the County's commercial zones in the unincorporated areas to allow the processing of residential developments and mixed-use projects through an administrative procedure; and
2. Consider the different circumstances and different parts of the County that would be applicable, and work with each Supervisorial District's Planning Deputy to take into consideration each District's commercial zones; and
3. Report back to the Board with findings, including provisions for maintaining the commercial uses along the County's major commercial corridors.

The staff recommendations in this report incorporate the input from several key sources: the Regional Planning Commission, the planning deputies from each Board Office, the County's Housing Advisory Committee and the Community Development Commission staff. The report looks at the role of mixed-use developments in the context of the worsening housing crisis in the County. It also considers the implications of encouraging mixed-use developments in all commercial zones with a director's review, which is an administrative procedure. The report addresses the impact of such development on the diversity of urban, suburban and rural contexts

Residential and Mixed-Use Developments in C-Zones

September 15, 2005

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within the unincorporated areas. In addition, the report looks at past and present trends in the County's policies and actions related to mixed-use developments in commercial zones and the current tools available to promote residential and mixed-use developments. Lastly, the report considers strategies for ensuring the compatibility of land uses when encouraging residential and mixed-use developments in commercial zones. In doing so, we recommend that the Board:

- 1) Instruct the Department of Regional Planning to prepare a countywide ordinance and the appropriate environmental documentation to modify some or all commercial zones to permit mixed-use developments, consisting of ground floor commercial uses with residential uses on the upper floors, through a director's review process, which is an administrative procedure. Include in the draft ordinance design standards to address density, height limits, set-backs and parking, for mixed-use developments, which will ensure the compatibility of uses and the creation of neighborhood-friendly mixed-use buildings. Submit the draft ordinance to the Regional Planning Commission for the required public hearing and forward the Commission's recommendation to the Board for its consideration.
- 2) Instruct the Department of Regional Planning to commence, upon the completion of the countywide mixed-use ordinance described above, the review of areas covered by the Community Plans and the Community Standards Districts, as appropriate, in order to apply a community-based approach, using CSDs and/or overlay zones in specific unincorporated areas, to allow residential-only developments in commercial zones with a director's review process.

I have enclosed background information considered by the Department, which supports the above recommendations.

If you have any questions, please contact me or Julie Moore of my staff at (213) 974-6425 or via e-mail at jmoore@planning.co.la.ca.us.

JEH:RDH:JTM:cc

C: Violet Varona-Lukens, Executive Officer—Clerk of the Board
David E. Janssen, Chief Administrative Officer
Carlos Jackson, Executive Director, Community Development Commission

Attachments: Residential and Mixed-Use Developments in Commercial Zones Through an
Administrative Review: Background Report
Board Motion (6/21/05)
Appendix A: Development Standards for Mixed-Use Developments in Title 22
Appendix B: Residential and Mixed-Use Programs in Comparable and Nearby Local
Jurisdictions

REPORT TO LOS ANGELES COUNTY BOARD OF SUPERVISORS

RESIDENTIAL AND MIXED-USE DEVELOPMENTS IN COMMERCIAL ZONES THROUGH AN ADMINISTRATIVE REVIEW: BACKGROUND REPORT

September 2005

This report provides the background for the Department of Regional Planning's recommendations to the Board motion, dated June 21, 2005, to consider options for allowing residential and mixed-use developments in commercial zones through an administrative review. The report looks at the role of mixed-use developments in the context of the worsening housing crisis in the County. It also considers the implications of encouraging mixed-use developments in all commercial zones with a director's review, which is an administrative procedure. The report addresses the impact of such development on the diversity of urban, suburban and rural contexts within the unincorporated areas. In addition, the report looks at past and present trends in the County's policies and actions related to mixed-use developments in commercial zones and the current tools available to promote residential and mixed-use developments. Lastly, the report considers strategies for ensuring the compatibility of land uses when encouraging residential and mixed-use developments in commercial zones.

General Plan/Community Plans

The role of the Los Angeles County General Plan in the land-use planning process is to guide the long-term future use and physical development of land within the unincorporated areas of the County. The General Plan contains the goals and policies, which are implemented through the Zoning Ordinance. A review of the General Plan and Community Plans indicates that there is support for residential and mixed-use developments in commercial zones.

The adopted General Plan, which plans for a diversity of urban, suburban and rural areas, allows and promotes residential and mixed-use developments in commercially designated areas. In addition, the Housing Element, adopted in 1998, includes policies to allow residential and mixed-use developments in commercial zones and Transit-Oriented Districts, in order to create adequate sites for multifamily housing. The Housing Element also identifies the conditional use permit for residential uses in commercial zones as a regulatory constraint on housing production.

Shaping the Future 2025, the Department of Regional Planning's Draft General Plan also promotes residential and mixed-use developments in commercially designated areas. The proposed Land Use Element in *Shaping the Future 2025* contains the following policies:

- Promote compact, walkable, well-designed mixed-use development in and adjacent to employment and transit centers and commercial corridors to provide convenient access to shopping, and services.
- Promote ordinances that initiate transit-oriented development (TOD) along bus and rail transit corridors.
- Encourage the shared use of sites for development of schools, parks, libraries, housing and other compatible uses.

In addition, the staff draft of the Preliminary General Plan Land Use Element, which will be released early next year, will contain a new "mixed-use" land use category specifically identifying areas where mixed-use development would be allowed. The Preliminary General Plan's "commercial" category will also promote residential and mixed-use developments in appropriate areas.

Several of the adopted Community Plans, which cover a diversity of areas, also support residential and mixed-use developments on commercially designated land. For example, the Antelope Valley Area General Plan allows residential uses in commercial areas and even industrially designated land, provided that certain standards and conditions are met. Other Community Plans, such as the East Los Angeles Community Plan and the Altadena Community Plan, established mixed-use districts that allow residential uses on commercially designated land. Common themes within the Community Plans that reference residential and mixed-use development in commercial zones include the following: 1) Allow mixed uses in designated areas; 2) Revitalize existing commercial areas; 3) Allow higher density residential uses in commercial areas, where appropriate; and 4) Adopt development and design standards to ensure the compatibility of uses. Refer to Table A for a more details.

Residential and Mixed-Use Developments in C-Zones: Background Report

September 15, 2005

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TABLE A: Community Plan Policies Supporting Residential and Mixed-Use Development in Commercial Zones

Hacienda Heights	<ul style="list-style-type: none"> • Allow residential uses in commercial areas only when ancillary to the primary commercial uses.
Rowland Heights	<ul style="list-style-type: none"> • Allow residential uses in commercial areas only when ancillary to the primary commercial uses.
West Hollywood ¹	<ul style="list-style-type: none"> • Encourage mixed-uses with appropriate controls to ensure compatibility. • Permit mixed-use developments where designated and subject to standards. • Encourage mixed use developments, especially along major streets that have large traffic capacities and public transportation.
Diamond Bar ²	<ul style="list-style-type: none"> • Allow residential uses in commercial areas only when ancillary to the primary commercial uses.
Altadena	<ul style="list-style-type: none"> • Designate Lake Ave. as the principal core of Altadena and encourage mixed-uses.
Antelope Valley Areawide General Plan	<ul style="list-style-type: none"> • Provide for increasing residential densities near older "strip" commercial areas to encourage economic maintenance and revitalization of older commercial areas. • Allow appropriate residential uses in commercially designated areas through a design review. • Allow residential uses in industrially designated areas not suitable for present or future industrial use.
East Los Angeles	<ul style="list-style-type: none"> • Encourage rehabilitation of existing uses. • Designate appropriate areas where mixed uses permitted subject to compliance with standards to ensure careful design.
West-Athens/Westmont	<ul style="list-style-type: none"> • Revitalize existing commercial areas; • Encourage mixed-use facilities, particularly near light rail. • Encourage infill. • Designate West Century Blvd. as mixed residential and commercial. Eliminate industrial and commercial uses from neighborhoods, except neighborhood oriented commercial stores. • Where mixed-uses are permitted, ensure compatible integration of adjacent uses to minimize conflicts.
Walnut Park	<ul style="list-style-type: none"> • Encourage mixed commercial and residential along Santa Fe Ave, with appropriate controls to ensure compatibility.

Zoning

There are also provisions in the Zoning Code that support residential and mixed-use developments in commercial zones through discretionary and non-discretionary review procedures. As Table B illustrates, residential uses are permitted in all commercial zones (C-1, C-2, C-3, C-H, C-M and the C-R zones) with an approved conditional use permit. Mixed-use developments are also permitted in the Mixed Use Development (MXD) zone with a conditional use permit. Residential and mixed-use developments are permitted in all Transit-Oriented Districts (TODs), () – CRS (Commercial Residential) combining zone, and the Florence-Firestone CSD through a director's review process.

¹ Incorporated in 1984.

² Incorporated in 1989.

Residential and Mixed-Use Developments in C-Zones: Background Report
 September 15, 2005
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TABLE B: Permitted Residential Uses in Commercial Zones in Los Angeles County Code, Title 22

ZONING	CUP	Administrative Review
C-1: Restricted Business	Residences, single family; residences, two family; apartment houses	
C-2: Neighborhood Business	Same as above	
C-3: Unlimited Commercial	Same as above	
C-H: Commercial Highway	Same as above	
C-M: Commercial Manufacturing	Same as above	
CPD: Commercial Planned Development	Same as above	
C-R: Commercial Recreation	Residences, single family	
MXD: Mixed Use Development	Any use listed as permitted, accessory, subject to director's review or subject to permit in R-A. Any use permitted in zones R-4, M-1, A-C, and SR-D, or any combinations.	
() - CRS: Commercial-Residential		In C-3, any single family residence, two family residence or apartment house; commercial developments with residential uses, subject to development standards.
() - PO: Unlimited Residence-Professional Office	Any professional office use.	Any permitted use in R-4
East Los Angeles CSD	Mixed residential in area designated "Commercial/Residential Mixed Use Area" on the Land Use Policy map. Zoned C-3	
West Athens-Westmont CSD	Area specific standards for the area along Century Blvd. that allow residential or commercial uses.	
Florence-Firestone CSD		C-2, C-3 Residential and mixed Residential/Commercial uses, subject to specified development standards.
Blue Line and Green Line TODs		C-2, C-3 Mixed commercial and residential, senior citizen developments, single family residences, two family residences, two family, apartment houses.

Inventory of Commercial Zones

The County has a diversity of commercial zones within the unincorporated area. Table C shows that over 5,400 acres of the total unincorporated area are zoned for commercial uses. More than half of these areas are situated in the Fifth District, with the remaining situated in the Second District, First District, Fourth District and Third District, respectively.

TABLE C: Commercially Zoned Acreage in the Unincorporated Areas

ZONING	FIRST DISTRICT ACREAGE	SECOND DISTRICT ACREAGE	THIRD DISTRICT ACREAGE	FOURTH DISTRICT ACREAGE	FIFTH DISTRICT ACREAGE	TOTAL COMMERCIAL ZONED ACREAGE IN UNINCORPORATED AREAS BY TYPE
C-1	61	38	8	83	88	278
C-1-DP ³	4	6		7	6	23
C-2	159	346	67	101	295	968
C-2-CRS		6				6
C-2-DP	9	2	5	5	206	227
C-3	453	341	34	140	1344	2312
C-3-CRS	19					19
C-3-DP	9	8	2	13	307	339
C-H	1			10	11	22
C-H-DP				3	2	5
C-M	101	55		2	67	225
C-M-DP	19	142	5		1	167
C-R	33	11	5		630	679
C-R-DP				5	52	57
CPD	14	10	25	25	58	132
TOTAL COMMERCIAL ZONED AREA	882	965	151	394	3067	5459

Source: Department of Regional Planning, GIS Section

Historical Trends

Historical trends show that, in the past, the County has gone from non-restrictive to restrictive policies on allowing residential and mixed-use developments in commercial zones (refer to Table D). However, the present trend is a return to less-restrictive policies, but limited to designated areas (such as Transit-Oriented Districts and in the Florence-Firestone CSD).

Prior to the 1960's, the County allowed residential uses in commercial and industrial zones as a matter of right. In 1964, however, the Board of Supervisors adopted an urgency ordinance, prohibiting residential uses in commercial zones, unless a Special Use Permit (predecessor of the Conditional Use Permit) could be obtained, with the objective of protecting existing commercial uses from potentially incompatible new residential uses.

In the 1980's, the County's planning policies began to reflect the need to encourage the combining of certain commercial and residential uses in order to provide additional housing opportunities and to reduce transportation costs, energy consumption and air pollution. The

³ DP denotes a development program combining zone that requires a conditional use permit, regardless of the permitted uses.

General Plan and Community Plans for the unincorporated areas that were adopted during this period, for example, also allow for and support residential and mixed-use developments in commercial zones. In 1983, the County adopted the () – CRS (Commercial Residential) combining zone, which allows residential uses in designated C-3 zones through a director's review process, the () – PO (Unlimited Residential Professional Office) combining zone, which allows office uses in designated R-4 zones in conjunction with residential uses, and the MXD (Mixed Use Development) zone, which allows a mixture of residential, commercial and industrial uses with a conditional use permit.

The County's zoning actions and policies in recent years show a trend toward allowing residential and mixed-use developments in commercial zones through a director's review process. In 1999 (Blue Line) and, more recently in 2005 (Green Line), the Board of Supervisors adopted Transit-Oriented Districts, which among other incentives, allow residential and mixed-use developments in commercial areas through a director's review process. In 2004, the Board adopted the Florence-Firestone CSD, which also permits residential and mixed-use developments through a director's review process. In addition, recent reports by Department of Regional Planning in 2002 and the Housing Advisory Committee in 2003 made recommendations to the Board on affordable housing incentives, which included the allowance for residential uses in commercial zones through a non-discretionary procedure, coupled with the development of standards to ensure the compatibility of uses.

TABLE D: Policies Supporting Residential and Mixed-Use Development in Commercial Zones

Pre-1964	Residential uses permitted in all C-zones
1964	The Regional Planning Commission issues a report on residential uses in commercial zones; the Board of Supervisors passes an urgency ordinance to prohibit residential uses in commercial zones unless a "special use permit" (predecessor of the conditional use permit) is first obtained.
1965	The Board of Supervisors adopts an ordinance to prohibit residential uses in commercial zones unless a "Special Use Permit" is first obtained.
1983	The Board of Supervisors adopts the new Commercial Residential combining zone, () –CRS, which permits residential uses in the C-3 zone through a director's review (adopted along with the () - PO (Unlimited Residential-Professional Office) combining zone, which allows limited commercial uses in R-4 with a CUP).
1983	The adoption of the MXD (Mixed Use Development) zone to provide for planned mixed use developments, which may contain residential, commercial, industrial and other such uses.
1999	The Board of Supervisors adopts the Blue Line TOD ordinance, which allows residential uses in C-2 and C-3 zones through a director's review in designated transit-oriented districts.
2002-03	In 2002, in response to a Board motion related to the adoption of the County's Housing Element on October 2001, the Department of Regional Planning submits a report to the Board recommending to study and allow residential uses in commercial zones with a director's review. In 2003, a report issued by the County's Housing Advisory Committee on strategies for increasing housing production makes the same recommendation.
2003	The Board of Supervisors adopts the Florence-Firestone Community Standards District, which allows residential uses in zones C-2 and C-3 through a director's review.
2005	The Board of Supervisors adopts the Green Line TOD ordinance, which allows residential uses in C-2 and C-3 zones through a director's review in designated transit-oriented districts.
2005	The Board of Supervisors directs the DRP to consider options for allowing residential uses in commercial zones through an administrative process.

Mixed-Use Developments

Addressing the Housing Crisis

There continues to be a housing shortage in Los Angeles County, which adversely affects housing affordability for all of Los Angeles County's residents. Given the housing crisis in Los Angeles County, the Board pointed out in the motion that the unrealized potential in our commercial zones is an opportunity for housing that Los Angeles County cannot afford to ignore. In this context, the Board raised concerns over requiring a conditional use permit for residential and mixed-use developments in commercial zones because such a requirement discourages infill housing and mixed-use developments in areas, such as declining commercial corridors, that are best suited for sustaining new housing opportunities.

The statistics show that the County needs to take the necessary steps to address the housing crisis. The Southern California Association of Governments (SCAG) reported earlier this year that, between 1998 through 2005, Los Angeles County has issued building permits for the construction of only 21,682 out of 52,002, or 37 percent, of the housing units needed in the unincorporated area to meet its fair share of the regional housing needs. In addition, a recent homeless count revealed that Los Angeles County has approximately 91,000 homeless people—the largest of any major metropolitan area in the country. Furthermore, according to a recent poll taken by the Public Policy Institute of California, affordable housing is of more concern to Los Angeles County residents than crime, air pollution, healthcare, or jobs. Fostering mixed-use developments is a creative way to increase housing opportunities in the County, while ensuring the compatibility of residential and commercial uses. For example, mixed-use developments can be a strategy for providing affordable housing, in which the profits from the ground floor commercial uses could be used to subsidize the affordability of the housing above.

Allowing residential and mixed-use developments in commercial areas through a director's review would complement several projects already underway by the Department of Regional Planning to promote infill development, remove regulatory barriers to housing production, and increase affordable housing. One major effort that has commenced in September is the SCAG-funded Los Angeles County Infill Estimation Project, which will result in parcel-specific Geographic Information System maps and numerical data that identify potential infill development areas and sites in the unincorporated areas.

Countywide Benefits

Urban, suburban and rural areas, alike, can benefit from mixed-use developments, which promote the conservation of resources and create livable, pedestrian-friendly environments, where residents can live in proximity to where they work and shop. In 1997, the Department of Regional Planning prepared a report entitled, *Livable Communities Guidelines* for new communities in the outlying areas of Los Angeles County. The report encourages a mix of uses

in community centers, and other elements that would enhance the livability of a community. While these guidelines were intended to apply specifically to suburban contexts, they are also applicable to urban areas. Mixed-use developments are also beneficial for commercially-zoned land in rural areas, where they can help facilitate the conservation of scenic and environmental resources by promoting a more concentrated development pattern.

A Tool for Community Revitalization

Mixed-use developments can be used as a strategy for reviving commercial areas in decline and enhancing existing commercial uses. Areas with a surplus of declining commercial uses provide opportunities for high density residential uses, which could not only address the housing needs of the County as discussed previously, but revive those areas with new uses without adding more traffic than the area can sustain. Residential uses in commercial areas can also provide a critical mass of people to sustain neighborhood-oriented businesses.

Ensuring the Compatibility of Land Uses

The use of development and design standards can ensure the compatibility of residential uses with commercial uses, and vice-versa. In addition, development and design standards are necessary to create more neighborhood-friendly, mixed-use developments. The County's Zoning Code currently contains development standards for the () – CRS combining zone and in the East Los Angeles and Florence-Firestone CSDs, which include parking, height, and in some cases, hours of operation for commercial uses. Refer to Appendix A for a detailed look at the development standards for mixed-use development in the Zoning Code.

Community-Based Approach for Residential-Only Development

The appropriateness of allowing residential-only developments in commercial zones with an administrative review process requires a community-based approach. This would allow the County to evaluate different communities based on their Community Plans, CSDs, and/or development patterns. This approach would also allow the County to evaluate the viability of major commercial corridors within these communities. A community-based approach for residential-only developments does the following: recognizes the uniqueness of the County's unincorporated areas that are located in urban, suburban and rural portions of the County; allows the inclusion or exclusion of residential-only developments in commercial zones as appropriate to the community's character and infrastructure constraints; and addresses concerns over encouraging residential-only developments in inappropriate areas, where residential uses can potentially replace all commercial uses or introduce residential uses that are incompatible with existing commercial uses. The County has tools, such as Community Plans and CSDs, to implement a community-based strategy for allowing residential-only developments in commercial zones. For the unincorporated areas that fall outside of a Community Plan area or a

CSD, the County can utilize the ()—CRS combining zone in its present or modified form to implement this policy.

Other Jurisdictions

Many nearby and comparable local jurisdictions have policies that allow residential and mixed-use developments in commercial zones, as well. The City of Los Angeles and the City of Santa Monica, for example, permit residential uses in all commercial areas as of right. The City of Pasadena, on the other hand, limits residential uses to only certain commercial zones. Some jurisdictions have also implemented policies that promote mixed-use developments as of right in designated overlay zones, such as the City of Los Angeles' Residential Accessory Services (RAS) zones. See Appendix B for a more detailed comparison of mixed use programs in nearby and comparable jurisdictions.

Many jurisdictions also have development and design standards to ensure the compatibility of residential and commercial uses, as well as the development of more neighborhood-oriented mixed-use developments. The City of Pasadena, for example, sets standards for lighting, loading, private and community open space, and designates areas for trash and recycling in areas that are compatible with residential and non-residential uses. In addition, the City requires that all residents that live in a mixed-use project be notified that they are living in urban areas, and that noise levels may be higher than in a typical residential area. The notification must be signed by the resident to confirm their understanding of the information.⁴

Conclusion

Based on our findings in this report, we recommend that the Board:

1. Instruct the Department of Regional Planning to prepare a countywide ordinance and the appropriate environmental documentation to modify some or all commercial zones to permit mixed-use developments, consisting of ground floor commercial uses with residential uses on the upper floors, through a director's review process, which is an administrative procedure. Include in the draft ordinance design standards to address density, height limits, setbacks and parking, for mixed-use developments, which will ensure the compatibility of uses and the creation of neighborhood-friendly mixed-use buildings. Submit the draft ordinance to the Regional Planning Commission for the required public hearing and forward the Commission's recommendation to the Board for its consideration.
2. Instruct the Department of Regional Planning to commence, upon the completion of the countywide mixed-use ordinance described above, the review of areas covered by the Community Plans and the Community Standards Districts, as appropriate, in order to apply a community-based approach, using CSDs and/or overlay zones in specific unincorporated areas, to allow residential-only developments in commercial zones with a director's review process.

⁴ City of Pasadena Zoning Code Section 17.50.160



MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Violet Varona-Lukens, Executive Officer
Clerk of the Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Director of Planning

At its meeting held June 21, 2005, the Board took the following action:

2

Supervisor Molina made the following statement:

"There continues to be a housing shortage in Los Angeles County, which adversely affects housing affordability for all of Los Angeles County's residents. The Southern California Association of Governments reported earlier this year that, between 1998 and 2005, Los Angeles County has issued building permits for the construction of only 21,682 out of 52,202, or 37 percent, of the housing units needed in the unincorporated area to meet its fair share of the regional housing needs.

"Given the current housing crisis, it is imperative that the County develop creative solutions to increase the housing supply, such as eliminating unnecessary barriers to housing development. Under current zoning, residential uses in commercially-zoned areas require a Conditional Use Permit. My concern is that requiring a Conditional Use Permit may discourage infill housing from being built in areas that are best suited to sustaining new housing opportunities. There may be commercially-zoned areas, such as declining commercial corridors, which pose opportunities to build infill housing and mixed-use developments. The unrealized potential in our commercial zones is an opportunity for housing that Los Angeles County cannot afford to ignore."

Julie Moore, Supervising Regional Planner of Community Studies, Department of Regional Planning, addressed the Board.

(Continued on Page 2)

2 (Continued)

After discussion, on motion of Supervisor Molina, seconded by Supervisor Burke, duly carried by the following vote: Ayes: Supervisors Burke, Yaroslavsky, Knabe, and Molina; Noes: Supervisor Antonovich, the Director of Planning was instructed to:

1. Study and make recommendations on options for modifying the County's commercial zones to allow processing of residential developments and mixed-use projects through an administrative procedure;
2. Consider the different circumstances and different parts of the County that would be applicable and work with each Supervisorial District's Planning Deputy to take into consideration each District's commercial zones; and
3. Report back to the Board within 60 days with findings, including provisions for maintaining the commercial uses along the County's major commercial corridors.

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Copies distributed:

Each Supervisor
Chief Administrative Officer
County Counsel

APPENDIX A:

Development Standards for Mixed-Use Developments in Title 22 of the County Code

<p>() - CRS</p> <p>Section 22.40.590</p>	<p>A. That no commercial uses be established on the same floor as residential uses except for professional offices subject to conditions in subsections B and C;</p> <p>B. That where commercial and residential uses are located on the same floor, they shall not have common entrance hallways or entrance balconies, except for single-story structures;</p> <p>C. That where commercial and residential uses have a common wall, such wall shall be constructed to minimize the transmission of noise and vibration;</p> <p>D. That there be automobile parking space as required by Part 11 of Chapter 22.52;</p> <p>E. That commercial and residential parking spaces be specifically designated by posting pavement marking and/or physical separation. (Ord. 83-0065 § 3 (part), 1983.)</p>
<p>Florence-Firestone CSD</p> <p>Section 22.44.138</p>	<p>D.4.d. Residential and Mixed Residential/Commercial Uses. Residential and mixed residential/commercial uses in Zone C-2 shall require a director's review pursuant to Part 12 of Chapter 22.56 and shall be subject to the following development standards:</p> <ul style="list-style-type: none"> i. Dwelling Unit Density. The density for residential uses shall not exceed 30 dwelling units per net acre; ii. Yard Requirements. Residential uses shall comply with the yard requirements in Section 22.20.320; iii. Parking. The parking requirements in Part 11 of Chapter 22.52 shall apply to residential uses in Zone C-2 except that any such requirement specifying the number of parking spaces may be reduced by 25 percent for new construction or a change in use, subject to approval by the director. Residential parking shall be distinguished from commercial parking in a mixed residential/commercial use by a posting, pavement marking or physical separation between the spaces; iv. Height. All residential structures shall have a maximum height of 45 feet above grade, excluding chimneys and rooftop antennas; v. Entrances. Residential and commercial uses that are located on the same floor shall not have a common entrance hallway or common balcony, except that common entrance hallways shall be allowed in a single-story structure; vi. Common Walls. Any common wall between a residential and commercial use shall be constructed in accordance with building code requirements to minimize noise and vibration between the uses; and vii. The hours of operation for commercial uses in a mixed residential/commercial use shall be no earlier than 7:00 a.m. and no later than 10:00 p.m. daily. <p>D.5. Zone C-3. The standards prescribed for Zone C-2 shall apply to Zone C-3 except as follows:</p> <ul style="list-style-type: none"> a. Height. Residential and mixed residential/commercial structures shall have a maximum height of 50 feet above grade. All other structures shall have a maximum height of 45 feet above grade. These height limits do not include chimneys and rooftop antennas; and b. Dwelling Unit Density. The density for residential uses shall not exceed 50 dwelling units per net acre.
<p>East Los Angeles CSD</p> <p>Section 22.44.118</p>	<p>E.2. Commercial/Residential Mixed Use Area. The commercial/residential mixed use area is shown on the map entitled "Commercial/Residential Mixed Use Area" following this section. When residential uses are developed in conjunction with commercial uses on the same parcel of land, they shall be subject to the following requirements:</p> <ul style="list-style-type: none"> a. With the exception of the first floor, commercial and residential uses shall not be located on the same floor. b. The hours of operation for commercial uses shall be limited to the hours of 7:00 a.m. to 10:00 p.m.

APPENDIX B

Examples of Residential and Mixed-Use in Comparable and Nearby Local Jurisdictions

Local Jurisdiction	Residential uses in commercial zones	Mixed-use provisions
City of Los Angeles ⁵	Residential uses are permitted in all commercial zones.	Residential/Accessory Service (RAS) Zones to encourage mixed use development to revitalize commercial boulevards that are in decline.
City of Santa Monica ⁶	Residential uses are permitted in all commercial zones.	Area-specific commercial districts that permit residential, along with incentives for residential.
County of Alameda ⁷	Mixed-use developments uses permitted in Community Commercial Districts, and all other residential uses in commercial zones allowed with a conditional use permit.	Mixed-Use Planned Development Zoning District (M-X) and Mixed-Use (MU) designated areas allow residential uses.
City of Pasadena ⁸	Residential uses permitted in the two least intense commercial zones, and permits transit-oriented development in all commercial zones.	Provides standards for mixed-use developments.
City of San Diego ⁹	Multifamily residential permitted in all commercial zones.	Urban Village Overlay Zone: 20% of mixed use development must be residential use.

⁵ City of Los Angeles Zoning Code Section 12.10.5, 12.11.5, 12.12.2-12.16

⁶ City of Santa Monica Zoning Code Subchapter 9.04.08: Zoning Districts and Uses

⁷ County of Alameda Housing Element (2001-2006), Chapter 6

⁸ City of Pasadena Zoning Code Chapter 17.24 and 17.50.160

⁹ City of San Diego Zoning Code Chapter 13 Art01 Div 05, Commercial Base Zones, Div 11, Urban Village Overlay Zone

Appendix F

**Residential Building/Demolition Permits
January 1, 1998 - June 30, 2005**

**Los Angeles County
Residential Building and Demolition Permit Activity
Summary Report for January 1, 1998-June 30, 2005**

	New Residential Building Permits Issued	Dwelling Units Authorized for Construction	Demolition Permits Authorized for Construction
1998	1,912	2,936	216
1999	1,919	2,296	158
2000	2,392	3,182	214
2001	1,844	2,561	208
2002	2,158	2,418	185
2003	3,136	3,868	236
2004	2,538	3,601	210
2005 (up to June 30)	1,184	1,689	103
TOTAL	17,083	22,551	1,530

Source: Department of Public Works, Building and Safety Division, selected information from detailed and summary reports on residential units permitting and demolition activity from January 1, 1998-June 30, 2005.

Appendix G

Green Line TOD Ordinance

ANALYSIS

This ordinance amends Title 22 - Planning and Zoning of the Los Angeles County Code by deleting Chapter 22.44, Part 8, the Blue Line Transit Oriented District Ordinance, in its entirety and replacing it with a revised Chapter 22.44, Part 8, which is a combined Blue Line and Green Line Transit Oriented District Ordinance. This Ordinance restates, but does not substantively change development standards, allowable uses and case processing requirements for the Blue Line Transit Oriented Districts and creates them for the new Green Line Transit Oriented Districts in order to promote transit-oriented and pedestrian-oriented development. This Ordinance also revises Section 22.08.200.T relating to the definition of Transit Oriented District.

RAYMOND G. FORTNER, JR.
County Counsel

By


PETER J. GUTIERREZ
Senior Deputy County Counsel
Public Works Division

PJG:di

12/7/04 (requested)

1/19/05 (revised)

ORDINANCE NO. 2005-0011

An ordinance amending Title 22 of the Los Angeles County Code relating to the Transit Oriented Districts.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 22.08.200.T is amended to read as follows:

22.08.200.T

...
"Transit oriented district" (TOD) means a mixed-use community within an approximately one-quarter to one-half mile distance radius of a significant transit facility station. Transit oriented districts are established to encourage a mix of residential, retail, office, open space, and public uses in a close proximity to each other in order to contribute to a vibrant, safe, and revitalized walkable environment, making it convenient for residents and employees. The transit oriented district land use provisions and design standards encourage convenient to travel by transit, bicycle, or foot by both residents and employees. Transit oriented districts also promote the efficient use of land for the mutual reinforcement of private development and public investments in the transit system.
...

SECTION 2. Chapter 22.44, Part 8 (Supplemental Districts) of the Los Angeles County Code is hereby deleted in its entirety.

SECTION 3. Chapter 22.44, Part 8 (Supplemental Districts) of the Los Angeles County Code is hereby added to read as follows:

22.44.400 Intent and Purpose.

Transit oriented districts are established as supplemental districts in order to promote transit-oriented and pedestrian-oriented development, to increase transit use, to manage traffic congestion, and to improve air quality. To achieve these goals, the following transit oriented districts are established to create and apply unique development standards and case processing procedures to geographic areas within an approximately one-quarter to one-half mile radius around specific light rail transit stations in unincorporated areas:

- Blue Line Transit Oriented Districts
 - Slauson Station Transit Oriented District
 - Florence Station Transit Oriented District
 - Firestone Station Transit Oriented District
 - Imperial Station Transit Oriented District
- Green Line Transit Oriented Districts
 - Vermont Station Transit Oriented District
 - Hawthorne Station Transit Oriented District

The exact geographic boundary of each transit oriented district is depicted on its respective map at the end of this Part 8.

The transit oriented districts implement the objectives of the Transit Village Development Planning Act of 1994, Government Code section 65460, et seq. They also implement the "Land Use and Economic Development Strategies Blue Line Transit Oriented Districts Study" and the "Draft Green Line Transit-Oriented Districts Land Use, Housing and Economic Development Strategy Report" (hereinafter referenced respectively as the Blue Line Strategy Report and Green Line Strategy Report), on file with the department of regional planning.

22.44.410 Context and Nature of Transit Oriented Districts.

A. Relationship to other zoning regulations. Except as otherwise expressly provided in this Part 8, property within a transit oriented district may be used in any manner allowed in the basic zone, subject to the same standards, limitations, and conditions contained in this Title 22. Where the regulations of a transit oriented district provided in this Part 8 differ from any other provisions in this Title 22, including those of a community standards district, the transit oriented district regulations shall supersede any such differing provisions. In the event there are conflicting provisions in this Part 8 with respect to properties within a transit oriented district, the more specific provision shall apply

B. Categories of transit oriented district regulations. Transit oriented district regulations within this Part 8 are divided into the following categories:

1. Development standards, case processing procedures, and allowable uses that apply within all transit oriented districts countywide. This category of regulations includes the following:

a. Development standards and case processing procedures that are applicable to properties within all of the transit oriented districts countywide irrespective of their specific zone classifications; and

b. Allowable uses and development standards that are applicable only within specific individual zones within all of the transit oriented districts countywide.

2. Transit line development standards, case processing procedures, and allowable uses. This category of regulations includes the following:

a. Development standards and case processing procedures that are applicable to properties within all of the transit oriented districts along a specific transit line - the Blue Line or the Green Line irrespective of their specific zone classifications;

b. Zone-specific listings of allowable uses and development standards that are applicable only to properties within specific individual zones in all transit oriented districts along a specific transit line - the Blue Line or the Green Line; and

c. Station-specific development standards that are applicable only to properties within specific individual transit oriented districts.

22.44.420 Development Standards and Case Processing Procedures

Applicable in all Transit Oriented Districts.

A. Development Standards.

1. Graffiti. To encourage the maintenance of exterior walls free from graffiti that would impact pedestrian views, the following shall apply to all properties within all transit oriented districts:

a. All structures, walls, and fences open to public view shall remain free of graffiti; and

b. In the event of such graffiti occurring, the property owner, tenant, or their agent shall remove or cover said graffiti within 72 hours, weather permitting. Paint utilized in covering such graffiti shall be a color that matches, as closely as possible, the color of the adjacent surfaces.

2. Signs. Notwithstanding the provisions of Part 10 of Chapter 22.52, the following standards shall apply to all signs:

a. Window signs. Window signs shall not exceed the maximum area of ten percent per glass area (total window or door glass area visible from the exterior of the building); and

b. Prohibited signs. The following signs shall be prohibited:

i. Roof signs; and

ii. Outdoor advertising signs.

3. Residential Uses.

a. Relationship of residential development to existing structures.

i. Size of residential structures. Residential buildings and structures shall be generally consistent and compatible in terms of size, scale, and proportion with adjacent buildings and structures, to the satisfaction of the director, and their height shall not exceed that provided in this Part 8, except with a variance approved pursuant to the provisions of Part 2 of Chapter 22.56.

ii. Aesthetics of residential structures. Residential buildings and structures shall be generally consistent and compatible in terms of color, architectural style, and construction materials with adjacent buildings and structures, to the satisfaction of the director.

b. Fences, walls, and landscaping.

i. Fences and walls shall:

(A). Be composed of materials and colors that are generally consistent and compatible with the buildings and structures in the development.

(B). Where part of a multiple-family development which adjoins a single-family residence:

(1). Be at least six feet in height;

(2). Be located along the common property

line; and

(3). Where the properties share a side property line, extend from the rear property line to at least the minimum front yard setback.

(C). Where the properties share a rear property line, extend from side lot line to side lot line.

ii. All mechanical equipment, trash containers, and dumpsters shall be completely screened from view from adjacent streets, walkways, and residences through the use of walls and/or landscaping.

iii. For the purposes of this Part 8, mechanical equipment shall mean air conditioners, television antennae, and other accessory equipment customarily utilized in connection with residential uses.

4. Commercial and Mixed-Uses (commercial/residential).

a. Compatibility with residential parcels. Commercial or mixed-use (commercial/residential) structures on parcels adjoining residentially-zoned parcels shall be located and designed to minimize their impact on the residentially-zoned parcels with respect to light, air, noise, and privacy, to the satisfaction of the director.

b. Pedestrian character.

i. Continuity and interest for pedestrians. In order to promote continuity among the various retail and service businesses and an interesting walking experience for pedestrians, at least 50 percent of any building's ground floor façade that is approximately parallel to and facing the street shall be composed of entrances and show windows or other displays;

ii. Use of glass. All glass utilized at and near the street level shall be either clear or lightly tinted in order to promote maximum pedestrian visibility of building interiors from the sidewalk area. Mirrored, highly reflective glass or densely tinted glass shall be prohibited, except as an architectural or decorative accent limited to 20 percent of the entire building front façade area;

iii. Walk-up facilities. Walk-up facilities shall be recessed and provide enough queuing space to ensure that pedestrians walking along the sidewalk will not be obstructed;

iv. Principal building entrance. Where feasible, the principal building entrance shall be located facing the sidewalk in front of the building;

v. Parking access. The width of the parking access from the street to a lot shall be limited to 28 feet of the commercial frontage, and no customer drive-through facilities shall be permitted;

vi. Architectural and decorative accents. At least 50 percent of the building façade above the first story shall be composed of recessed windows, balconies, offset planes, or other architectural or decorative accents;

vii. Roof Design. Proposed new buildings or additions having 100 feet or more of street frontage shall be designed to provide roofs of varying materials, textures, and motifs; and

viii. Paving Material. Pedestrian circulation areas and driveway entrances within the property boundaries shall be developed with decorative paving materials such as brick or paver tile.

- c. Awnings. Awnings shall be:
 - i. The same color and style for each opening on a single storefront or business;
 - ii. Complimentary in color and style for each storefront in a building;
 - iii. Designed to coordinate with the architectural divisions of the building including individual windows and bays;
 - iv. In compliance with building code and fire department requirements; and
 - v. Repaired or removed within 30 days of receipt of notification that a state of disrepair exists.
- d. Mechanical Equipment.
 - i. Individual air-conditioning units for a building or storefront shall be located as unobtrusively as feasible within the overall design of the building to the satisfaction of the director.
 - ii. If air-conditioning window units must be located in the storefront:
 - (A). The window units shall be neutral in appearance and the units shall not project outward from the façade. Their housing color shall be the same as those of the storefront; or
 - (B). If possible, the unit shall be completely screened with an awning or landscaping so that it will not be visible from the street.

iii. Mechanical equipment located on roofs shall be completely screened by parapet walls or other materials so that the equipment will not be visible from any point six feet above ground level within 300 feet.

iv. Notwithstanding subsection iii, above, any structures on the roof, such as air-conditioning units, antennas, and other equipment, shall be completely screened from view from any adjacent residential property.

e. Security.

i. Chain-link, barbed, and concertina wire fences are prohibited; tubular steel or wrought-iron fences are permitted;

ii. All security bars or grilles shall be installed within the interior of the building;

iii. Vertically or horizontally folding accordion grilles installed in front of a storefront are prohibited; and

iv. Building security grilles shall be side-storing, concealed interior grilles that are not visible from the exterior of the building when not in use (during business hours) or grilles which can be concealed in the architectural elements of the building.

f. Lighting. On-site exterior lighting shall:

i. Be focused on the subject property and shielded or hooded to prevent illumination of adjacent properties; and

ii. Utilize lighting fixtures that are screened or designed to compliment the use and architecture of the subject property and adjacent properties

from which they are visible.

g. Buffers. Whenever a parking lot or a commercial structure is developed adjacent to a residential zone or exclusively residential use, a five-foot landscaped buffer shall be provided and a 45-degree daylight plane shall be incorporated.

h. Parking Areas. With the exception of fully subterranean structures, all parking areas shall:

i. Be located in the rear of the structure(s); and
ii. Be completely screened with walls and/or landscaping so that it is not visible from the street that provides frontage, except from the access driveway.

i. Landscape Plan. New commercial structures or additions to commercial structures exceeding 500 square feet in gross floor area shall provide a landscape/irrigation plan as part of the director's review process. Such plan shall depict required landscaping, including one 15-gallon tree for every 50 square feet of planter area, and required irrigation infrastructure.

j. Trash Enclosure. The required trash bin shall be completely enclosed by a five- to six-foot high decorative wall with solid doors.

5. Public Space.

a. Definition of Public Space. For the purposes of this Part 8, "public space" means those areas provided for passive and active outdoor recreational use and the enjoyment of community residents, employees, and visitors.

b. Types of public space. Public spaces shall include, but not be limited to, the following as long as the uses are consistent with the design, scale, and area standards specified in subsections c and d, below:

- Athletic fields.
- Arboretums and horticultural gardens.
- Courtyards.
- Historical monuments and cultural heritage sites.
- Outdoor public assembly.
- Parks.
- Playgrounds.
- Plazas.
- School yards.
- Swimming pools.
- Tennis, volleyball, badminton, croquet, lawn bowling,

and courts designed for similar outdoor activities.

- Village greens and squares.

c. Design and Location. Public spaces within transit oriented districts shall be developed at a scale to encourage pedestrianism and provide for efficient land use. Development shall be "space-making" rather than "space-occupying," i.e., forming boundaries around the public space rather than being sited in the middle of the space.

d. Size. Public spaces shall range from one-half up to three acres in size.

6. Streets and Sidewalks.

a. Pedestrian-friendly design. In order to create safe, convenient, and comfortable pedestrian routes, new street and sidewalk construction shall:

i. Provide for sidewalks on both sides of the street;

ii. Include pedestrian amenities such as those listed in subsection d, below;

iii. Include street trees that:

(A). Line the sidewalks so as to provide a shade canopy at maturity.

(B). Are of a shade-producing variety; and

(C). Are planted within the planting strip, where a planting strip is required, at intervals not to exceed 30 feet.

b. Pedestrian Accessibility. Streets, sidewalks, and pathways shall be aligned:

i. To facilitate easy pedestrian access across streets and between buildings, to public spaces and to the transit station, to the satisfaction of the director; and

ii. To provide all new development with easy pedestrian access, to the satisfaction of the director.

- c. Street, sidewalk, and planting strip dimensions.
- i. Sidewalks. New sidewalk construction shall:
- (A). In residential zones, be not less than six feet in width; and
- (B). In all other zones, be not less than 15 feet in width.
- ii. Planting strips. Required planting strips shall be at least six feet in width.
- iii. Pedestrian amenities in sidewalk areas. In non-residential zones, the amenities identified in subsection d, below, may encroach upon up to 50 percent of the required sidewalk width.
- d. Types of pedestrian amenities. Pedestrian amenities shall be provided within or adjacent to the required sidewalk area in front of commercial and mixed-use development, to the satisfaction of the director. Such amenities may include, but are not limited to:
- Benches.
 - Bicycle racks.
 - Bus shelters.
 - Decorative street and sidewalk lights.
 - Drinking fountains.
 - Landscaped buffers.
 - Newsstands.

- On-sidewalk dining.
- Planter boxes.
- Special paving materials, such as treated brick, for

sidewalks or crosswalks.

- Trash receptacles.

B. Case Processing Procedures.

1. Director's review.

a. Except as otherwise provided in this Part 8, or where a minor variation is required, a director's review, as provided in Part 12 of Chapter 22.56, shall be required to establish, operate, and maintain any use, except that a director's review shall not be required for a change in ownership or occupancy. Director's review shall not be required for additional construction, maintenance, or repairs conducted within any 12-month period, provided the total cost of such construction, maintenance and repairs does not exceed 25 percent of the current market value or assessed valuation of the existing building, whichever is less.

b. Applicants shall pay 25 percent of the fees specified by Section 22.60.100 for site plan reviews.

c. When considering a site plan under director's review, the director shall apply the principles and standards required by Section 22.56.1690, consistent with the policies contained in the Blue Line Strategy Report or Green Line Strategy Report, as applicable.

2. Minor variations. Minor variations from certain specified standards may be granted, subject to the procedures set forth below, as follows:

a. Required findings by the director. Under exceptional circumstances, the director may permit minor variations from the standards specified in the requirements for fence or wall, awning, mechanical equipment, and pedestrian character of this Part 8. Such variations shall be supported by findings made by the director that:

i. The application of certain provisions of these standards would result in practical difficulties or unnecessary hardships inconsistent with the goals of the general plan and/or the Blue Line Strategy Report or Green Line Strategy Report, as applicable;

ii. There are exceptional circumstances or conditions applicable to the property or to the intended development of the property that do not apply generally to other properties in the transit oriented district;

iii. Permitting a variation will not be materially detrimental to property or improvements in the area;

iv. That no more than two property owners have expressed any opposition to the minor variation; and

v. Permitting a variation will be consistent with the goals of the Blue Line Strategy Report or Green Line Strategy Report, as applicable.

b. Application materials. The materials required for filing a minor variation will be the same as that for the director's review, except that the

applicant shall also submit:

- i. A list, certified to be correct by affidavit or by a statement under penalty of perjury, of the names and addresses of all persons who are shown on the latest available assessment roll of the County of Los Angeles as owners of the subject parcel of land and as owning property within a distance of 100 feet from the exterior boundaries of the parcel of land to be occupied by the use;

- ii. Two sets of mailing labels for the above-stated owners within a distance of 100 feet of the parcel of land to be occupied by the use;

- iii. A map drawn to a scale specified by the director indicating where all such ownerships are located; and

- iv. A filing fee equal to that required for site plan review for commercial/industrial projects over 20,000 square feet in size as specified in Section 22.60.100.

- c. Case processing procedures. The application for a minor variation from standards shall be processed by the director as follows:

- i. Initial notice. Not less than 20 days prior to the date an action is taken, the director shall send notice to the owners of record specified in subsection B.2.b.i, above, using the mailing labels supplied by the applicant. The notice shall state that within ten days of its receipt, any interested person may file a written expression of opposition to the proposed minor modification of standards with the director for his consideration in making a determination on the applicant's request.

ii. Notice after determination. The director shall send notice of the decision to the owners of record cited above, including any person who expressed opposition to the request. The notice shall state that any interested person dissatisfied with the action of the director may file an appeal from such action with the hearing officer within ten days of the receipt of the notification.

3. Conditional use permits.

a. Conditional use permits shall be required for those uses which otherwise require such permit under the provisions of this Title 22, with the additions and deletions listed in this Part 8.

b. In addition to the findings for approval of conditional use permits required by Section 22.56.090, a conditional use permit shall not be approved unless the information submitted by the applicant and/or presented at the public hearing substantiates that the proposed use is consistent with the Blue Line Strategy Report or Green Line Strategy Report, as applicable.

c. Applicants shall pay 50 percent of the fees specified by Section 22.60.100 for conditional use permits for the following uses:

- Grocery stores.
- Offices, businesses or professional.
- Restaurants or other eating establishments, excluding drive-through facilities.
- Retail stores.

4. Nonconforming uses, buildings, and structures. In addition to the findings required by Section 22.56.1550 for approval of a nonconforming use, building, or structure review in a transit oriented district, an application for a nonconforming use or structure review shall not be approved unless the information submitted by the applicant and/or presented at the public hearing substantiates that proposed use, building or structure will not be in substantial conflict with the Blue Line Strategy Report or Green Line Strategy Report, as applicable.

22.44.430 Allowable Uses and Development Standards Applicable Within Specific Zones in All Transit Oriented Districts.

A. Zone R-2 (Two-Family Residence Zone). Structures and residences in zone R-2 shall be subject to the following development standards:

1. Lot coverage. The maximum lot coverage permitted in zone R-2 shall be 50 percent.
2. Yard requirements. Not more than 25 percent of the required front yard setback shall be utilized for vehicle access or storage.

B. Zone R-3 (Limited Multiple Residence Zone).

1. Uses. Additional uses subject to director's review. In addition to the uses listed in Section 22.20.280, if site plans therefore are first submitted to and approved by the director, density bonuses may be obtained for parcels in zone R-3 subject to the following:

- a. Infill development. Where development is proposed for vacant lots or on lots containing legal nonconforming uses, a density bonus of

25 percent shall be granted, subject to a director's review, to ensure that the proposed development conforms with the character of the area.

b. Lot consolidation. Where lot consolidation is proposed, a range of density bonuses shall be granted subject to the provision of amenities, such as but not limited to, recreation facilities, laundry facilities, and extra landscaping as follows:

i. Consolidation of lots totaling 15,000 square feet or more - ten percent density bonus.

ii. Consolidation of lots totaling 25,000 square feet or more - 15 percent density bonus.

2. Development standards.

a. Yard requirements. Not more than 25 percent of the required front yard shall be utilized for vehicle access and storage.

b. Lot coverage. The maximum lot coverage in zone R-3 shall be 50 percent.

C. Zone C-2 (Neighborhood Commercial Zone).

1. Uses.

a. Permitted uses. Parcels in zone C-2 may be used for any uses listed as a permitted use in Section 22.28.130, except that the following uses shall require a conditional use permit:

i. Sales.

- Automobile sales, sale of new motor vehicles.
- Boat and other marine sales.
- Recreational vehicle sales.
- Trailer sales, box and utility.

ii. Services.

- Air pollution sampling stations.
- Automobile rental and leasing agencies.
- Automobile service stations.
- Electric distribution substations, including
microwave facilities.
- Gas metering and control stations, public utility.
- Lodge halls.
- Rental services.

b. Additional uses subject to director's review. In addition to the uses listed in Section 22.28.150, if site plans are first submitted to and approved by the director, parcels in zone C-2 may be used for the following:

- Adult day care facilities.
- Mixed commercial/residential developments.
- Outdoor dining, subject to the conditions listed in

subsection G of Section 22.28.070.

- Rooming and boarding houses.
- Senior citizens and disabled persons housing

developments.

- Signs, subject to the restrictions contained in

subsection A.2 of Section 22.44.420.

c. Uses subject to permit. Except for the uses listed in subsection C.1.b of Section 22.44.430 as allowed subject to director's review, provided a conditional use permit has first been obtained as specified in Part 1 of Chapter 22.56, parcels in zone C-2 may be used for any use listed as subject to permit in subsection A of Section 22.28.160, subsections C.1.a.i and C.1.a.ii of this Section 22.44.430, and temporary uses as provided in Part 14 of Chapter 22.56.

2. Development standards.

a. Floor area.

i. The total gross commercial floor area in all buildings on any one parcel of land shall not exceed two times the total net area of such parcel

of land.

ii. The total gross mixed-use (commercial/residential) floor area on any one parcel of land shall not exceed three times the total net area of such parcel of land. The residential portion of a mixed-use structure shall constitute at least 33 percent of total gross floor area.

iii. One hundred percent of the ground floor space in a multi-story mixed-use (commercial/residential) building shall be devoted to commercial use.

b. Setbacks. Structures shall be constructed on a front property line, except that they may be constructed up to ten feet back from the property line if one or more of the following are located within the setback area:

- Display windows, highly visible.
- Landscaping.
- Outdoor dining facilities, subject to the conditions of

subsection G of Section 22.28.070.

- Outdoor display/sales.
- Street furniture.

D. Zone C-3 (Unlimited Commercial Zone).

1. Uses.

a. Permitted uses. Parcels in zone C-3 may be used for any use listed as a permitted use Section 22.28.180, except that the following uses shall require a conditional use permit:

- i. Sales.
 - Auction houses.
 - Automobile sales, sale of new and used motor vehicles.
 - Boat and other marine sales.
 - Ice sales.
 - Mobilehome sales.
 - Motorcycle, motor scooter, and trail bike sales.
 - Recreational vehicle sales.
 - Trailer sales, box and utility.
- ii. Services.
 - Air pollution sampling stations.
 - Automobile battery service.
 - Automobile brake repair shops.
 - Automobile muffler shops.
 - Automobile radiator shops.
 - Automobile rental and leasing agencies.
 - Automobile repair garages, excluding body and fender work, painting, and upholstering.
 - Automobile service stations.
 - Bakery goods distributors.
 - Car washes, automatic, coin operated, and

hand wash.

- Dog training schools.
- Electric distribution substations, including

microwave facilities.

- Furniture transfer and storage.
- Gas metering and control stations, public utility.
- Laboratories, research, and testing.
- Lodge halls.
- Mortuaries.
- Motion picture studios.
- Parcel delivery terminals.
- Radio and television broadcasting studios.
- Recording studios.
- Recreational vehicle rentals.
- Taxidermists.
- Tool rentals, including roto-tillers, power

mowers, sanders and saws, cement mixers, and other equipment.

- Trailer rentals, box and utility.
- Truck rentals, excluding trucks with a capacity

greater than two tons.

iii. Recreation and amusement.

- Amusement rides and devices.
- Carnivals.

b. Additional uses subject to director's review. In addition to the uses listed in Section 22.28.200, if site plans therefore are first submitted to and approved by the director, parcels in zone C-3 may be used for the following:

- Adult day care facilities.
- Health clubs or centers.
- Hotels.
- Mixed commercial/residential developments.
- Outdoor dining subject to the conditions listed in

subsection G of Section 22.28.070.

- Rooming and boarding houses.
- Senior citizens and disabled persons housing

developments.

- Signs, subject to the restrictions contained in

subsection A.2 of Section 22.44.420.

c. Uses subject to Permit. Except for the uses listed in subsection D.1.b of Section 22.44.430 as allowed subject to director's review, provided a conditional use permit has first been obtained as specified in Part 1 of Chapter 22.56, parcels in zone C-3 may be used for any use listed as subject to permit in subsection A of Section 22.28.210, subsections D.1.a.i, D.1.a.ii and D.1.a.iii of this

Section 22.44.430, and temporary uses as provided in Part 14 of Chapter 22.56.

2. Development standards.

a. Floor area.

i. The total gross commercial floor area in all buildings on any one parcel of land shall not exceed two times the total net area of such parcel of land.

ii. The total gross mixed-use (commercial/residential) floor area on any one parcel of land shall not exceed three times the total net area of such parcel of land. The residential portion shall constitute at least all floor area exceeding two times the total net area of such parcel.

b. Setbacks. Structures shall be constructed on the front property line, except that they may be constructed up to ten feet back from the front property line if one or more of the following are maintained within the setback area:

- Display windows, highly visible.
- Landscaping.
- Outdoor dining subject to the conditions of

subsection G of Section 22.28.070.

- Outdoor display/sales.
- Street furniture.

E. Zone R-3-P (Limited Multiple Residence Parking Combining Zone).

1. Uses.

a. Those uses and standards applicable in zone R-3, as modified by subsection B of this Section 22.44.430, and as further modified by subsection C.2 of Section 22.44.440 for all Blue Line TOD's, and by subsection C.2 of Section 22.44.450 for all Green Line TOD's.

b. Those uses and standards applicable in the ()-P (Parking) combining zone in Part 4 of Chapter 22.40, except that zone R-3, as above, shall be considered the basic zone.

22.44.440 Development Standards, Case Processing Procedures, and Allowable Uses Applicable within Blue Line Transit Oriented Districts.

A. Development standards.

1. Parking.

a. Except as otherwise provided in subsection b, below, the automobile parking requirements of Part 11 of Chapter 22.52 shall be reduced by 40 percent for new construction, additions, alterations, and changes of use. This percentage reduction shall not apply to additions and alterations, of existing single-family detached structures which shall continue to be subject to the full requirements of Part 11 of Chapter 22.52.

b. For the following uses, the automobile parking requirements of Part 11 of Chapter 22.52 shall be reduced by 60 percent:

- Banks.
- Barber shops.
- Beauty shops.
- Child care centers.
- Colleges and universities, including appurtenant

facilities, giving advanced academic instruction approved by the state board of education or other recognized accrediting agency, but excluding trade schools.

- Community centers.
- Day care centers.
- Delicatessens.
- Drug stores/pharmacies.
- Dry cleaning establishments, excluding wholesale dry-

cleaning plants.

- Employment agencies.
- Grocery stores.
- Ice cream shops.
- Libraries.
- Restaurants.
- Schools, business or professional, including art,

barber, beauty, dance, drama, and music, but not including any school specializing in manual training, shop work, or in the repair and maintenance of machinery or mechanical equipment.

2. Signs. Notwithstanding the provisions of Part 10 of Chapter 22.52, the following standards shall apply to all signs:

a. Window signs. Window signs shall be displayed on the interior of windows or door windows only; and

b. Freestanding signs. Freestanding signs shall:

i. Be permitted only on lots with street frontage of at least 100 feet;

ii. Have a solid base that rests directly on the ground;

iii. Not exceed five feet in height measured vertically from ground level at the base of the sign;

iv. Not exceed 40 square feet in area per sign face; and

v. Not be located in nor extend above any public right-of-way or public sidewalk area.

c. Awning signs. The following standards shall apply to awning signs:

i. The allowance for wall signs shall not be applicable to or include awning signs;

ii. Awning signs shall:

(A). For the ground floor, not exceed 20 percent of the exterior surface area of each awning;

(B). For the second floor, not exceed ten percent of the exterior surface area of each awning;

(C). Not be permitted above the second floor; and

(D). Be limited to a maximum letter height of ten

inches.

3. Residential uses--fences. Where fences are to be located in required front and corner side yards in residential zones, the following standards shall apply:

a. If chain link or wrought-iron style fences are utilized, such fences may be constructed up to a height of four feet;

b. With a director's review, wrought-iron style fences of up to six feet in height shall be allowed. The director may impose such conditions on the fence design as are appropriate to assure public safety, community welfare, and compatibility with all applicable development standards for residential uses; and

c. Those portions of fences more than 42 inches high must be substantially open, except for pillars used in conjunction with wrought-iron style fences, and shall not cause a significant visual obstruction. No slats or other view-obscuring materials may be inserted into or affixed to such fences.

4. Commercial and mixed-use (commercial/residential) buildings.

a. Pedestrian character. At least 20 percent of the total building façade shall be composed of recessed windows, balconies, offset planes, or other architectural or decorative features.

b. Mixed-use (commercial/residential) development. The provisions of subsections A, B, C, and E of Section 22.40.590 (Development Standards

for zone []-CRS) shall apply to mixed commercial/residential developments irrespective of the specific zone classification of the particular parcel.

c. Landscape plan. Street furniture and related paving of up to 25 percent of the landscaped area, to a maximum of 250 square feet, may be substituted for required landscaped area.

5. Street, sidewalk, and planting strip standards.

a. Planting strip. All streets shall be designed so that a minimum six-foot wide, landscaped planting strip separates the sidewalk from the street.

b. Street and sidewalk dimensions. In order to insure pedestrian safety by slowing vehicular traffic and narrowing crosswalk lengths, new commercial and mixed-use developments shall include a narrowing of adjoining streets at pedestrian crossings, if acceptable to the department of public works.

B. Case processing procedures for nonconforming buildings, uses, and structures. All nonconforming buildings and structures nonconforming due to use, and buildings and structures nonconforming due to standards are subject to regulation as specified by Section 22.56.1540, except as modified herein. The effective date which commenced the running of the amortization periods contained in subsection B.1.f of Section 22.56.1540 for all Blue Line transit oriented districts, shall be August 5, 1999, the effective date of Ordinance No. 99-0057, and the listing of periods for discontinuance and removal below shall supersede those set forth in

subsections B.1.f.i through iv of Section 22.56.1540 for the following building types

as follows:

1. Type IV and Type V buildings used as:
 - a. Three-family dwellings, apartment houses, and other buildings used for residential occupancy, 35 years;
 - b. Stores and factories, ten years; and
 - c. Any other building not herein enumerated, ten years;
2. Type III buildings used as:
 - a. Three-family dwellings, apartment houses, offices, and hotels, 40 years;
 - b. Structures with stores below and residences, offices or a hotel above, 40 years;
 - c. Warehouses, stores, and garages, 15 years; and
 - d. Factories and industrial buildings, 15 years.
3. Type I and II buildings used as:
 - a. Three-family dwellings, apartment houses, offices, and hotels, 50 years;
 - b. Theaters, warehouses, stores, and garages, 20 years; and
 - c. Factories and industrial buildings, 15 years.
4. The termination periods enumerated in subsections B.1, B.2, and B.3 of this Section 22.44.440, above, shall not apply to apartment houses which are rendered nonconforming due to subsection c.2.a.ii of Section 22.44.440.

C. Uses and standards applicable in specific zones.

1. Zone R-2 (Two-Family Residence Zone).

a. Uses.

i. Additional uses subject to director's review. In addition to the uses listed in Section 22.20.190, if site plans are first submitted to and approved by the director, a density bonus of up to 50 percent may be obtained for parcels in zone R-2 provided that:

(A). At least 33 percent of the total dwelling units in the development are provided for lower income households or at least 50 percent of the total dwelling units in the development are provided for qualifying senior citizens as defined in section 51.3 of the Civil Code; and

(B). A covenant and agreement is recorded in the county recorder's office to ensure the occupancy of the bonus units by qualifying senior citizens or lower-income households for a period of 30 years.

ii. Additional uses subject to permit. In addition to the uses subject to permit listed in Section 22.20.200, provided that a conditional use permit has first been obtained as specified in Part 1 of Chapter 22.56, parcels in zone R-2 may be used for the following:

- Grocery stores.
- Offices, business or professional.
- Restaurants and other eating establishments, excluding drive-through facilities.
- Retail stores.

b. Development Standards. Notwithstanding the yard requirements in Section 22.20.220, parcels in zone R-2 shall be subject to the following:

i. Corner side and rear yards setbacks are subject to the provisions of Section 22.20.320.

ii. Front yard setbacks shall be at least ten feet in depth; and

iii. Interior side yard setbacks may be reduced from the five feet minimum to zero feet subject to the yard modification procedure and provided that a minimum distance of ten feet is maintained between the subject buildings and the buildings on the adjoining lot.

2. Zone R-3 (Limited Multiple-Residence Zone).

a. Uses.

i. Additional uses subject to director's review. In addition the uses listed in Section 22.20.280, if site plans are first submitted to and approved by the director, parcels in zone R-3 may be used for:

(A). Restaurants and incidental service concessions offering newspapers, tobacco, notions, grocery, and similar items in apartment house developments, provided that at least 50 percent of the developed area is devoted to residential use. The floor space of any outdoor dining area shall be included in the calculation of developed area.

(B). Affordable and senior citizen housing. A density bonus of up to 50 percent shall be allowed in compliance with the following provisions:

(1). At least 33 percent of the dwelling units in the development are provided for lower-income households; or at least 50 percent of the total dwelling units in the development are provided for qualifying senior citizens as defined in section 51.3 of the Civil Code; and

(2). A covenant and agreement is recorded in the county recorder's office to ensure the occupancy of the bonus units by qualifying senior citizens or lower income households for a period of 30 years.

ii. Additional uses subject to permit. In addition to the uses subject to permit listed in Section 22.20.290, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, parcels in zone R-3 may be used for the following:

- Apartment houses containing five or more dwelling units within a single structure.
- Grocery stores.
- Offices, business or professional.
- Restaurants or other eating establishments, excluding drive-through facilities.
- Retail stores.

b. Development Standards. Notwithstanding the yard requirements in Section 22.20.320, parcels in zone R-3 shall be subject to the following:

i. Front yard setbacks shall be at least ten feet in depth;
and

ii. Interior side yard setbacks may be reduced from the five feet minimum to zero feet subject to the yard modification procedure and provided that a minimum distance of ten feet is maintained between the subject buildings and the buildings on the adjoining lot.

3. Zone R-4 (Unlimited Residence Zone).

a. Uses.

i. Additional uses subject to director's review. In addition to the uses listed in Section 22.20.360, if site plans therefore are first submitted to and approved by the director, parcels in zone R-4 may be used for the following uses:

(A). Restaurants and incidental commercial service concessions offering newspapers, tobacco, notions, grocery, and similar items in apartment house developments, provided that at least 50 percent of the developed area is devoted to residential use. The floor space of any outdoor dining area shall be included in the calculation of developed area.

(B). Restaurants and incidental commercial service concessions offering newspapers, tobacco, notions, grocery, and similar items in hotel developments having not less than 20 guest rooms.

ii. Additional uses subject to permit. In addition to the

uses subject to permit listed in Section 22.20.370, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, parcels in zone R-4 may be used for the following:

- Grocery stores.
- Offices, business or professional.
- Restaurants and other eating establishment,

excluding drive-through facilities.

- Retail stores.

b. Development Standards.

i. Height limits. No building or structure in zone R-4 shall exceed 40 feet in height above grade, except for chimneys and rooftop antennas.

ii. Yard requirements. Notwithstanding the yard requirements in Section 22.20.380, parcels in zone R-4 shall be subject to the following:

(A). Interior side yard setbacks may be reduced from the five feet minimum to zero feet subject to the yard modification procedure and provided that at least ten feet in distance is maintained between the subject buildings and the buildings on the adjoining lot.

(B). Not more than 25 percent of the required front yard setback shall be utilized for vehicle access or storage.

4. Zone C-2 (Neighborhood Commercial Zone).

a. Uses.

i. Additional uses subject to director's review. In addition to the uses listed in Section 22.28.150, if site plans are first submitted to and approved by the director, parcels in zone C-2 may be used for:

- Apartment houses.
- Residences, single-family.
- Residences, two-family.
- Theaters and auditoriums.

ii. Additional uses subject to permit. Except for the uses listed in subsection C.4.a.i of this Section 22.44.440 as allowed subject to directors review, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, parcels in zone C-2 may be used for any use listed as a use subject to permit in subsections C.1.a and C.1.c of Section 22.44.430.

b. Development standards. Parcels in zone C-2 shall be subject to the following development standards:

i. Height limits. Mixed-use (commercial/residential) buildings in which residential portions constitute as least 33 percent of total gross floor area may be constructed to a maximum height of 45 feet above grade, excluding chimneys and rooftop antennas.

ii. Floor area. At least 50 percent of the floor space of a single-story mixed-use building must be devoted to commercial use.

5. Zone C-3 (Unlimited Commercial Zone).

a. Uses.

i. Additional uses subject to director's review. In addition to the uses listed in Section 22.28.200 and subsection D.1.b of Section 22.44.430, if site plans are first submitted to and approved by the director, parcels in zone C-3 may be used for the following:

- Apartment houses.
- Residences, single-family.
- Residences, two-family.
- Theaters and other auditoriums.

ii. Additional uses subject to permit. Except for the uses listed as subject to director's review in subsection C.5.a.i of Section 22.44.430, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, parcels in zone C-3 may be used for any use listed as subject to permit in subsections D.1.a and D.1.c of Section 22.44.430.

b. Development standards.

i. Height limits.

(A). Commercial buildings may be constructed to a maximum height of 45 feet above grade, excluding chimneys and rooftop antennas.

(B). Mixed-use (commercial/residential) buildings in which residential portions constitute at least 33 percent of all floor area may be constructed to a maximum height of 60 feet above grade, excluding chimneys and

rooftop antennas.

ii. Floor area. At least 50 percent of the floor space of a single-story structure and 100 percent of the ground floor space of a multi-story structure in a mixed-use building must be devoted to commercial uses.

6. Zone C-M (Commercial Manufacturing Zone).

a. Uses.

i. Permitted uses. Parcels in zone C-M may be used for any use listed as a permitted use in Section 22.28.230, except that the following uses shall require a conditional use permit:

(A). Sales.

- Auction houses.
- Automobile sales, sale of new and used motor vehicles.
- Boat and other marine sales.
- Ice sales.
- Mobile home sales.
- Motorcycle, motor scooter, and trail bike sales.
- Recreational vehicle sales.
- Trailer sales, box and utility.

(B). Services.

- Air pollution sampling stations.
- Automobile battery service.
- Automobile brake repair shops.
- Automobile muffler shops.
- Automobile radiator shops.
- Automobile rental and leasing agencies.
- Automobile repair garages, excluding

body and fender work, painting, and upholstering.

- Automobile service stations.
- Car washes, automatic, coin operated,

and hand wash.

- Electric distribution substations,

including microwave facilities.

- Furniture transfer and storage.
- Gas metering and control stations,

public utility.

- Laboratories, research, and testing.
- Lodge halls.
- Mortuaries.
- Motion picture studios.
- Parcel delivery terminals.

studios.

- Radio and television broadcasting
- Recording studios.
- Recreational vehicle rentals.
- Revival meetings, tent, temporary.
- Taxidermists.
- Tire retreading or recapping.
- Tool rentals, including roto-tillers, power

mowers, sanders and saws, cement mixers, and other equipment.

- Trailer rentals.
- Truck rentals.

(C). All uses listed under subsections B and C of
Section 22.28.230.

ii. Accessory uses. Parcels in zone C-M may be
used for any use listed as an accessory use under subsections A and B of
Section 22.28.240.

iii. Additional uses subject to director's review. In
addition to the uses listed in Section 22.28.250, if site plans are first submitted to and
approved by the director, parcels in zone C-M may be used for the following:

- Adult day care facilities.
- Apartment houses.
- Health clubs or centers.

- Hotels.
- Mixed commercial/residential developments.
- Outdoor dining, subject to the conditions listed

in subsection G of Section 22.28.070.

- Residences, single-family.
- Residences, two-family.
- Rooming and boarding houses.
- Senior citizen and disabled persons housing

developments.

- Signs as provided in subsection A.2 of Section

22.44.420 and subsection A.2 of this Section 22.44.440.

- Theaters and other auditoriums.

iv. Uses subject to permit. Provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, parcels in zone C-M may be used for the following:

(A). Any use listed as a use subject to permit in subsection A of Section 22.28.260, excluding uses subject to director's review pursuant to subsection C.6.a.iii of this Section 22.44.440; and

(B). Any use listed as a use subject to permit in subsection C.6.a.i of this Section 22.44.440.

b. Development standards.

i. Height limits. No commercial building shall exceed 40 feet in height excluding chimneys and rooftop antennas.

ii. Floor area.

(A). Commercial floor area. The total gross commercial floor area in all the buildings on any one parcel of land shall not exceed 1.8 times the total net area of such parcel of land.

(B). Mixed-use (commercial/residential) buildings.

(1). The total gross mixed-use floor area on any one parcel of land shall not exceed 2.7 times the total net area of such parcel of land.

(2). The residential portion shall constitute at least all floor area exceeding 1.8 times the total net area of such parcel of land.

(3). At least 50 percent of the floor space of a single-story structure and 100 percent of the ground floor space of a multistory structure in a mixed-use building must be devoted to commercial or manufacturing uses.

iii. Lot coverage. The maximum lot coverage shall be 80 percent of the net area of such parcel of land.

iv. Setbacks. Structures shall be built on a front property line, except that they may be constructed up to 15 feet back from the front property line if one or more of the following are maintained within the setback area:

- Display windows.
- Landscaping.
- Outdoor dining facilities.
- Outdoor display/sales.
- Street furniture.

D. Development standards applicable in individual Blue Line Transit Oriented Districts.

1. Slauson Station Transit Oriented District.

a. Paving material. Pedestrian circulation areas and driveway entrances within the boundaries of private, commercially developed property shall be developed with textured and/or colored pavement.

2. Florence Station Transit Oriented District.

a. Colors. For commercial development, muted pastel colors are recommended as the primary or base building color. Darker, more colorful paints should be used as trim colors for cornices, graphics, and window and door frames.

b. Paving material. Pedestrian circulation areas and driveway entrances within the boundaries of private, commercially developed property shall be developed with colored and/or textured pavement.

3. Firestone Station Transit Oriented District.

a. Colors. For commercial development, muted pastel colors are recommended as the primary or base building color. Darker, more colorful paints should be used as trim colors for cornices, graphics, and window and door frames.

b. Paving material. Pedestrian circulation areas and driveway entrances within the boundaries of private commercially developed property shall be developed with colored and/or textured pavement.

c. Wall finish. In order to preserve and enhance a mixed urban use environment on Firestone Boulevard, building walls shall be constructed primarily of stucco, brick, or other materials as approved by the director.

4. Imperial Station Transit Oriented District.

a. Reserved.

22.44.450 Development Standards, Case Processing Procedures and Allowable Uses Applicable within Green Line Transit Oriented Districts.

A. Development standards.

1. Parking.

a. Automobile parking requirements of Part 11 of Chapter 22.52 shall be reduced by 25 percent for new construction, additions, alterations, and changes of use for the following commercial uses:

- Bakeries.
- Banks/check cashing establishments.
- Barber shops.
- Beauty shops.
- Child care centers.
- Coffee houses/Juice bars.

- Colleges and universities, including appurtenant facilities, giving advanced academic instruction approved by the state board of education or other recognized accrediting agency, but excluding trade schools.
- Community centers.
- Copy/mail services, retail.
- Day care centers.
- Delicatessens.
- Donut shops.
- Drug stores and/or pharmacies.
- Dry cleaning establishments, excluding wholesale dry cleaning plants.
- Employment agencies.
- Flower shops.
- Grocery stores.
- Hardware stores.
- Ice cream shops.
- Libraries.
- Restaurants.
- Schools, business and professional, including art, barber, beauty, dance, drama, and music, but not including any school specializing in manual training, shop work, or in the repair and maintenance of machinery or mechanical equipment.

- Shoe repair/alterations.
- Stationary stores.
- Video sales and rentals.

b. Any commercial use may receive up to a five percent reduction in required parking spaces when open leisure areas with benches and other streetscape furniture appropriate for relaxing and eating are provided to the satisfaction of the director. This five percent reduction may be added to the reduction allowed in subsection A.1.a of this Section 22.44.450.

c. Parking for handicapped persons shall be calculated based on the total number of parking spaces required prior to any reduction allowed by subsections A.1.a and A.1.b of this Section 22.44.250, or based on the total number of parking spaces actually provided if greater.

2. Signs. Freestanding signs, including pole signs and A-frame sandwich signs, shall be prohibited.

3. Residential uses. With the exception of fully subterranean structures, all parking shall:

a. Where related to multiple-family structures, be located in the rear of the housing development; and

b. Be completely screened with walls and/or landscaping so that it is not visible from the street that provides frontage except from the access driveway.

4. Commercial and mixed-use (commercial/residential) buildings.
 - a. Mixed-uses (commercial/residential).
 - i. Single story mixed-use buildings are prohibited.
 - ii. The ground floor space in a mixed-use (commercial/residential) building shall be devoted solely to commercial uses.
 - iii. Retail uses shall be prohibited on all floors except the ground floor.
 - iv. Where office commercial and residential uses are located on the same floor, they shall not have common entrance hallways or entrance balconies.
 - v. Where office commercial and residential uses have a common wall, such wall shall be constructed to minimize the transmission of noise and vibration between the uses.
 - vi. Separate commercial and residential parking spaces must be provided and specifically designated by posting, pavement marking and/or physical separation.
 - b. Pedestrian character. The following standards shall apply in the interest of achieving a pedestrian character:
 - i. Recessed stories. Third and fourth stories of commercial and mixed-use buildings shall be recessed a successive minimum of at least ten feet on each story; and

ii. Paving material. Pedestrian circulation areas and driveway entrances within the boundaries of private property may be developed with colored stamped concrete.

iii. Types of pedestrian amenities. In addition to the amenities listed in subsection A.6.d of Section 22.44.420, pedestrian amenities may also include leisure areas, open, with benches and other street furniture appropriate for relaxation and eating.

5. Public spaces.

a. Types of public spaces. In addition to the uses listed in subsection A.5.b of Section 22.44.420, the following types of public spaces may also be provided:

- Leisure areas, open, including benches and other street furniture appropriate for relaxation and eating.

b. Amenities in public spaces. In order to create pleasing and convenient leisure areas, public space shall be furnished with amenities such as trees, landscaping, benches, trash containers, and water fountains.

B. Case processing procedures.

1. Nonconforming buildings, uses, and structures. All buildings, uses and structures that are nonconforming due to use, and buildings and structures that are nonconforming due to standards are subject to regulation as specified by

Section 22.56.1540, except that where a nonconforming use is carried on in a conforming structure, a ten-year amortization period shall apply, except where the provisions of subsection C of Section 22.56.1540 apply.

2. Conditional use permits. Applicants shall pay 50 percent of the fees specified by Section 22.60.100 for conditional use permits, if required, for the following uses:

- Child care centers.
- Community centers.
- Libraries.

C. Uses and standards applicable in specific zones.

1. Zone R-2 (Two-Family Residence Zone).

a. Uses.

i. Additional uses subject to director's review. In addition to the uses listed in Section 22.20.190, if site plans are first submitted to and approved by the director, parcels in zone R-2 may receive the following density bonuses:

(A). Infill development. Where there are vacant lots or nonconforming uses in zone R-2, infill development is encouraged. A density bonus of 25 percent shall be allowed for development on such lots, subject to a director's review to ensure that the proposed development is compatible with the height, bulk, and colors of existing surrounding development.

(B). Lot consolidation. If amenities such as, but not limited to, recreation facilities, laundry facilities, and significant landscaping are provided to the satisfaction of the director, a lot consolidation may qualify for the following density bonuses:

(1). Consolidation of lots with a combined total of 15,000 square feet up to 24,999 square feet: ten percent density bonus.

(2). Consolidation of lots with a combined total of 25,000 square feet or more: 15 percent density bonus.

(C). Affordable and senior housing. A density bonus of up to 50 percent may be granted if the project complies with the affordable and senior housing provisions of Section 22.56.202.

(D). Total of combined density bonus grants. In the event that a project may qualify for more than one category of density bonuses pursuant to this subsection C.1.a.i the total combined density bonus granted under these provisions shall not exceed 50 percent.

ii. Additional uses subject to permit. In addition to the uses subject to permit listed in Section 22.20.200, provided that a conditional use permit has

first been obtained as provided in Part 1 of Chapter 22.56, parcels in zone R-2 may be used for the following:

- Grocery stores, limited to 5,000 square feet in gross floor area and located on corner lots, and which may be extended to an immediately adjacent lot.

- Restaurants, limited to 5,000 square feet in gross floor area and located on corner lots, and which may be extended to an immediately adjacent lot.

- Restaurants, incidental, and incidental commercial service concessions offering newspapers, tobacco, notions, grocery, and similar items in apartment house developments, provided that at least 50 percent of the developed area is devoted to residential use. The floor space of any outdoor dining area shall be included in the calculation of developed area.

iii. Prohibited uses. The following uses shall be prohibited:

- Airports.
- Cemeteries.
- Earth stations.
- Electric distribution substations.
- Explosives storage.
- Gas metering and control stations, public utility.
- Heliports.
- Helistops.

- Landing strips.
- Oil wells.
- Radio and television stations and towers.
- Sewage treatment plants.
- Surface mining operations.
- Water reservoirs.

b. Development standards.

i. Signs for commercial uses in multiple-family

residential buildings. Notwithstanding the provisions of Part 10 of Chapter 22.52, signs shall be subject to the following standards:

(A). Incidental restaurants and service commercial uses. Where incidental restaurants and service commercial uses within apartment houses are authorized by this Part 8, related signs shall:

- (1). Be limited to 12 inches in height and 18 inches in width; and
- (2). Not be visible from any public right-of-way.

(B). Small grocery and restaurant establishments. Small grocery and restaurant establishments for corner and corner-adjointing lots authorized by this Part 8, may be allowed either one wall sign or one projecting sign subject to the following:

(1). Wall signs. Wall signs shall:

- (a). Be limited to 15 square feet in size; and
- (b). Contain letters of not more than

18 inches in size.

(2). Projecting signs. Projecting signs, including awning signs, shall:

(a). Be limited to seven and one-half square feet in size;

(b). Contain letters of not more than ten inches in height; and

(c). Not project beyond the face of the building in excess of 50 percent of the limitations set forth in diagram A of subsection C.1 of Section 22.52.900.

ii. Street, sidewalk and planting strip development standards.

Streets shall be designed so that a minimum six-foot wide, landscaped planting strip separates the sidewalk from the street.

2. Zone R-3 (Limited Multiple-Residence Zone).

a. Uses.

i. Additional uses subject to director's review. In addition to the uses listed in Section 22.20.280, if site plans are first submitted to and approved by the director, parcels in zone R-3 may be used for:

(A). Affordable and senior citizen housing. A density bonus of up to 50 percent may be granted if the project complies with the affordable and senior housing provisions of Section 22.56.202; and

(B). In the event that a project may qualify for more than one category of density bonus pursuant to this subsection C.2.a.i of this Section 22.44.450, the total combined density bonus granted under these provisions shall not exceed 50 percent.

ii. Additional uses subject to permit. In addition to the uses subject to permit listed in Section 22.20.290, provided that a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, parcels in zone R-3 may be used for the following:

- Grocery stores, limited to 5,000 square feet in gross floor area and located on corner lots, and which may be extended to an immediately adjacent lot.

- Restaurants, excluding drive-through facilities, limited to 5,000 square feet in gross floor area and located on corner lots, and which may be extended to an immediately adjacent lot.

- Restaurants, incidental, and incidental commercial service concessions offering newspapers, tobacco, notions, grocery, and similar items in apartment house developments, provided that at least 50 percent of the developed area is devoted to residential use. The floor space of any outdoor dining area shall be included in the calculation of developed area.

iii. Prohibited uses. The following uses shall be prohibited:

- Airports.
- Cemeteries.
- Earth stations.
- Electric distribution substations.
- Explosives storage.
- Gas metering and control stations, public utility.
- Heliports.
- Helistops.
- Landing strips.
- Oil wells.
- Radio and television stations and towers.
- Sewage treatment plants.
- Subsurface mining operations.
- Water reservoirs.

b. Development standards. The development standards set

forth in subsection C.1.b of this Section 22.44.450 shall apply.

3. Zone C-2 (Neighborhood Commercial Zone).

a. Uses.

i. Additional uses subject to director's review. In

addition to the uses listed in Section 22.28.150, if site plans are first submitted to and approved by the director, parcels in zone C-2 may be used for:

- Newsstands.

ii. Additional uses subject to permit. Provided a

conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, parcels in zone C-2 may be used for the following:

(A). Any use listed as a use subject to permit in subsections C.1.a and C.1.c of Section 22.44.430.

(B). The following additional uses:

- Automobile repair and installation, when incidental to the sale of new automobiles, automobile service stations, and automobile supply stores;

- Automobile supply stores.

- Automobile washing, waxing, and polishing, when incidental to the sale of new automobiles and automobile service stations.

- Trailer rentals, box and utility only,

accessory to automobile service stations.

b. Development standards.

i. Setbacks. Structures shall be constructed on a front property line, except that they may be constructed up to ten feet back from the front property line if one or more of the following is located within the setback area:

(A). The amenities listed in subsection C.2.b of Section 22.44.430; and

(B). Leisure areas, open, with benches and other street furniture appropriate for relaxing and eating.

4. Zone C-3 (Unlimited Commercial Zone).

a. Additional uses subject to permit. In addition to the uses subject to permit listed in Section 22.28.210, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, parcels in zone C-3 may be used for the following:

- Automobile body and fender repair and painting and upholstery, when incidental to new automobile sales.

- Boat repair, minor repairs incidental to the sale of boats.

b. Development standards.

i. Height limits.

(A). Mixed-Use (commercial/residential) buildings in which residential portions constitute less than 33 percent of all floor area shall be restricted to a height of 35 feet above grade, excluding chimneys and roof antennas.

(B). Mixed-use (commercial/residential) buildings in which residential portions constitute at least 33 percent of all floor area may be constructed to a maximum of 45 feet in height, excluding chimneys and roof antennas.

ii. Setbacks. Structures shall be constructed on a front property line, except that they may be constructed up to ten feet back from the front property line if one or more of the following is located within the setback area:

(A). Those amenities listed in subsection D.2.b of Section 22.44.430; or

(B). Leisure areas, open, with benches and other street furniture appropriate for relaxation and eating.

D. Development standards applicable in individual Green Line Transit Oriented Districts.

1. Vermont Station Transit Oriented District.
 - a. Reserved.
2. Hawthorne Station Transit Oriented District.
 - a. Reserved.

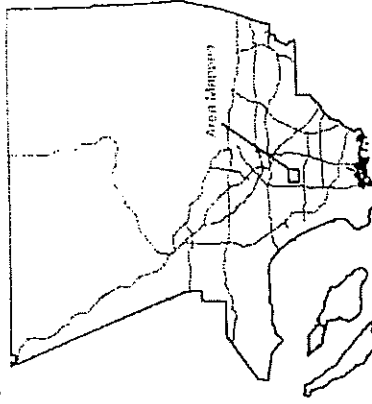
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**Boundary of the Firestone Station
Blue Line
Transit Orientated District**

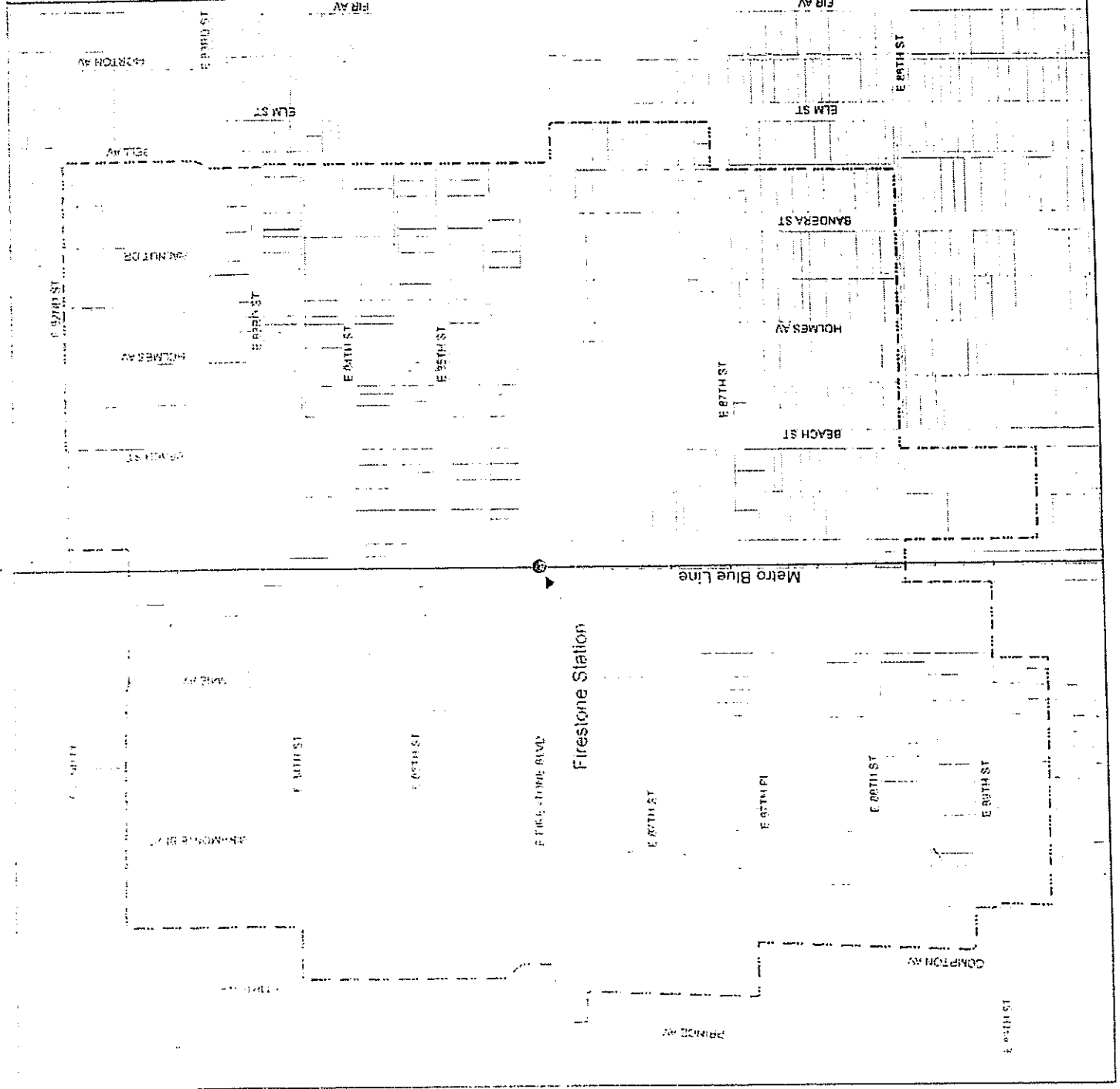
Legend:

- Blue Line Station
- Railroad
- Unincorporated Parcels
- Firestone Station TOD Boundary

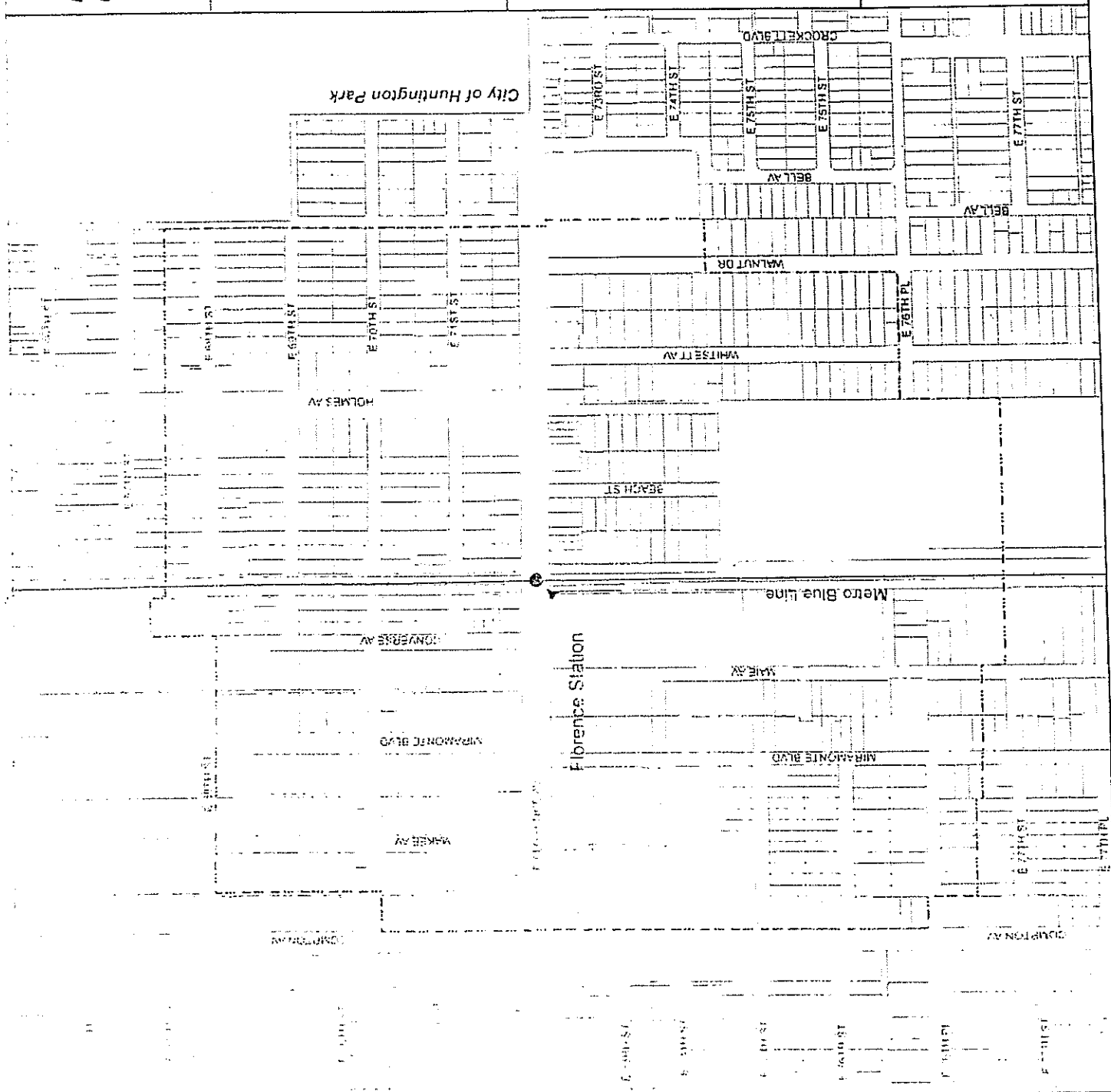
Key Map:



Los Angeles County
Department of Regional Planning
330 W. Bonnie St.
Los Angeles, CA 90012



Los Angeles County Superior Court
 Department 10
 220 W. Temple St.
 Los Angeles, CA 90012

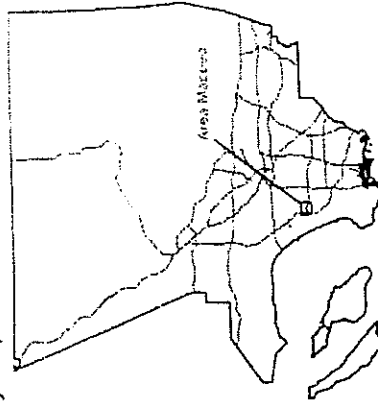


**Boundary of the Hawthorne
Station Green Line
Transit Orientated District**

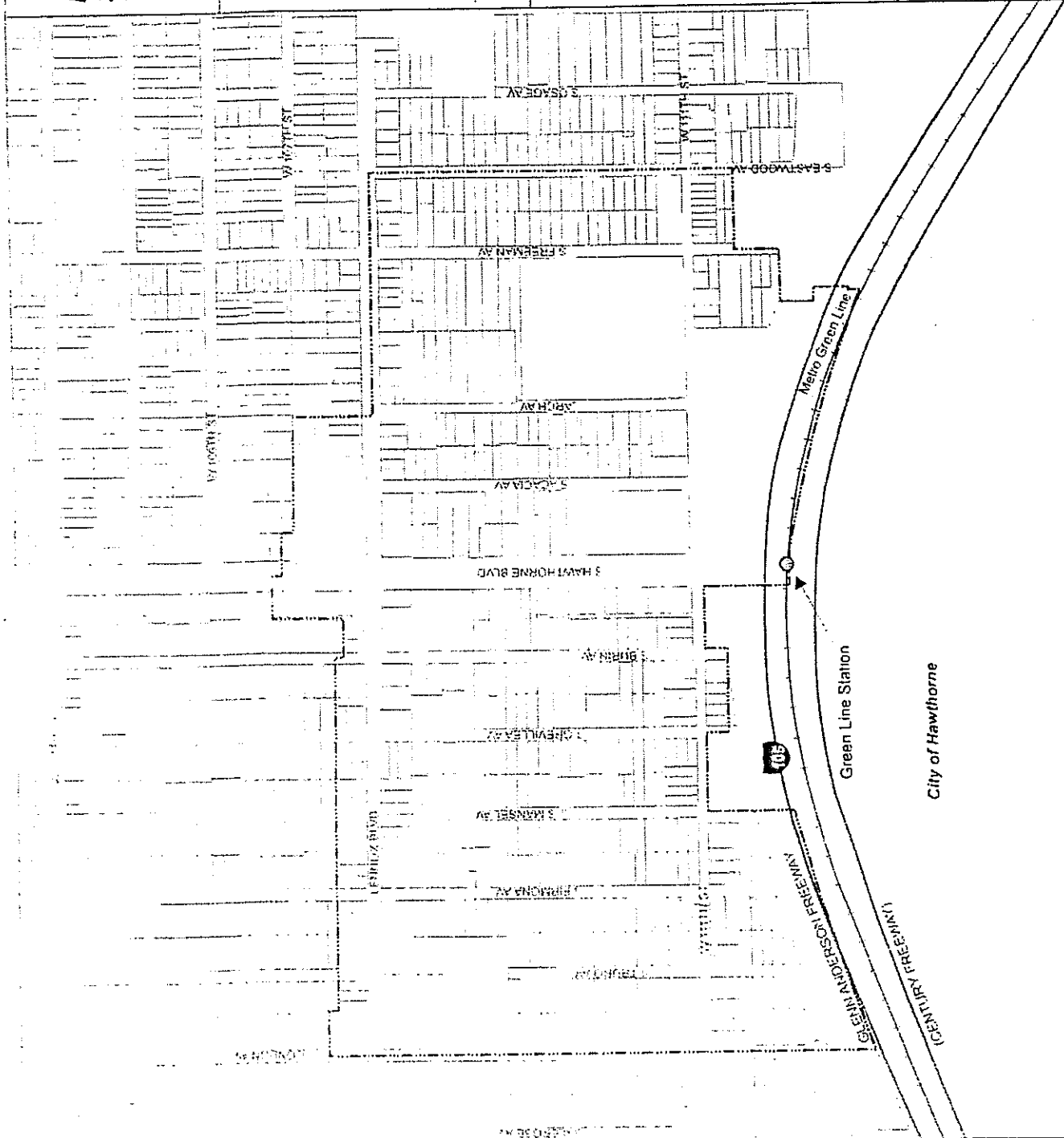
Legend:

- Freeways
- Green Line Station
- Railroad
- Unincorporated Area Parcels
- Hawthorne Station TOD Boundary

Key Map:



Los Angeles County
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012

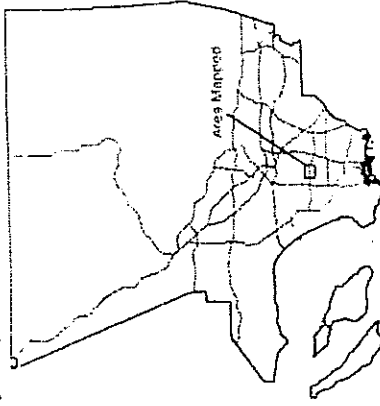


**Boundary of the Imperial Station
Blue Line
Transit Orientated District**

Legend:

- Blue Line Station
- Freeways
- Railroad
- Unincorporated Parcels
- Imperial Station TOD Boundary

Key Map:



Los Angeles County
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012

City of Los Angeles

Imperial Station

Metro Green Line

WILLOWBROOK AV. Metro Blue Line

101 DILLON AV.

HUGO AV.

HARMAN AV.

E 117TH ST

E 118TH ST

E 119TH ST

E 120TH ST

E 120TH ST

WILMINGTON AV.

SANDERS AV.

HOLMES AV.

E 120TH ST

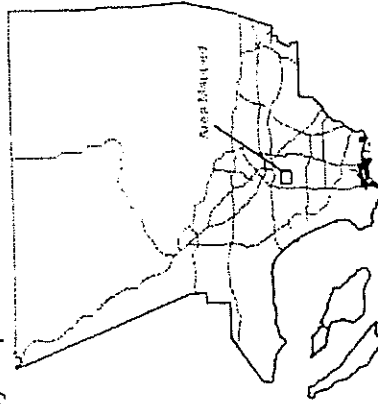
E 120TH ST

**Boundary of the Slauson Station
Blue Line
Transit Orientated District**

Legend:

- Blue Line Station
- Railroad
- Unincorporated Area Parcels
- Slauson Station TOD Boundary

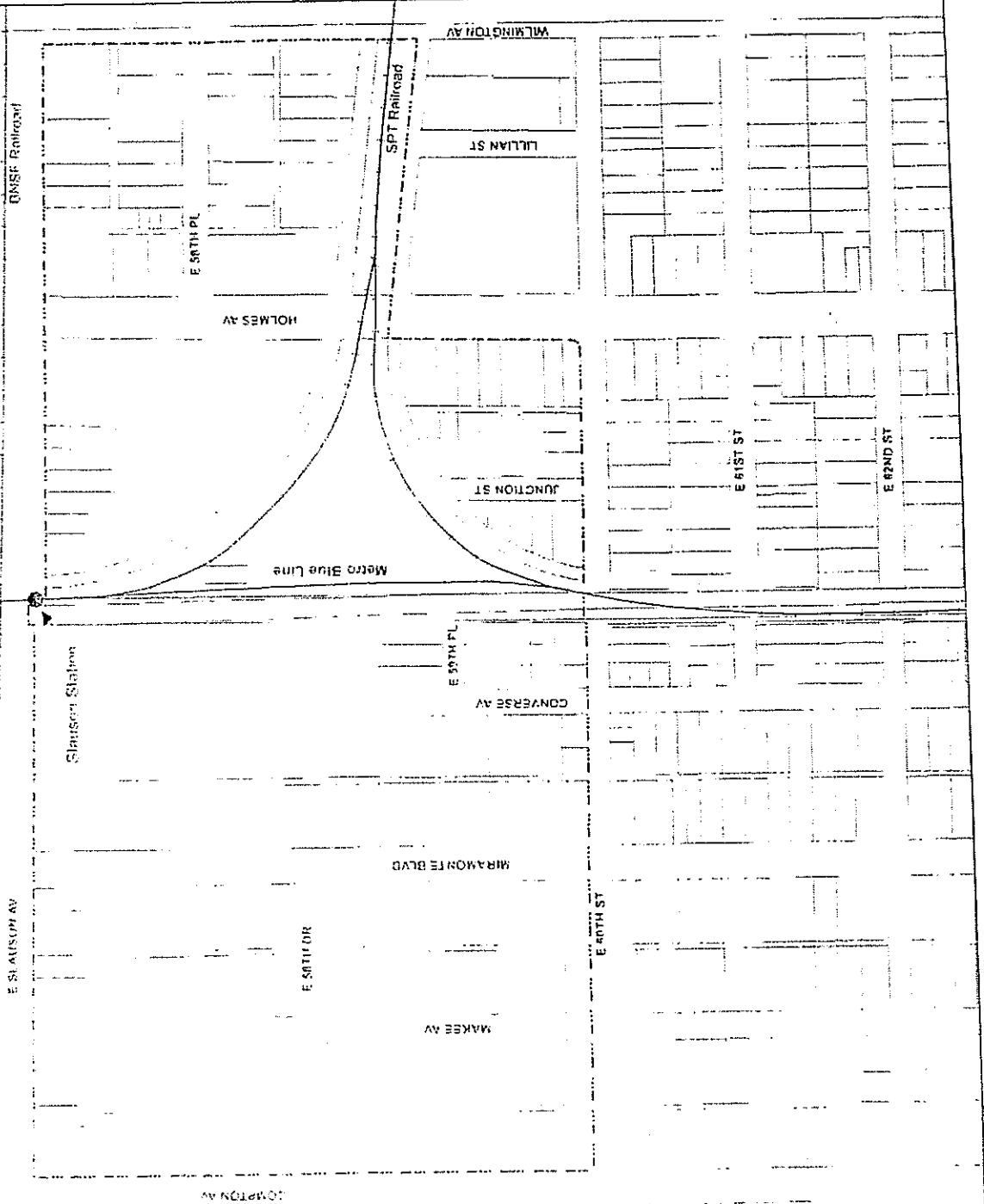
Key Map:



Los Angeles County
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012








City of Los Angeles

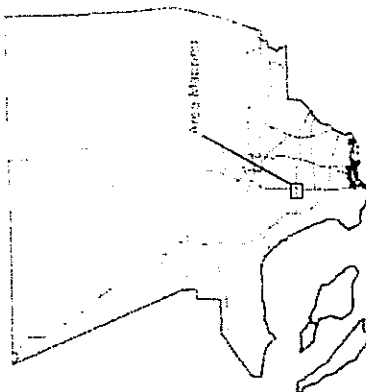


**Boundary of the Vermont Station
Green Line
Transit Orientated District**

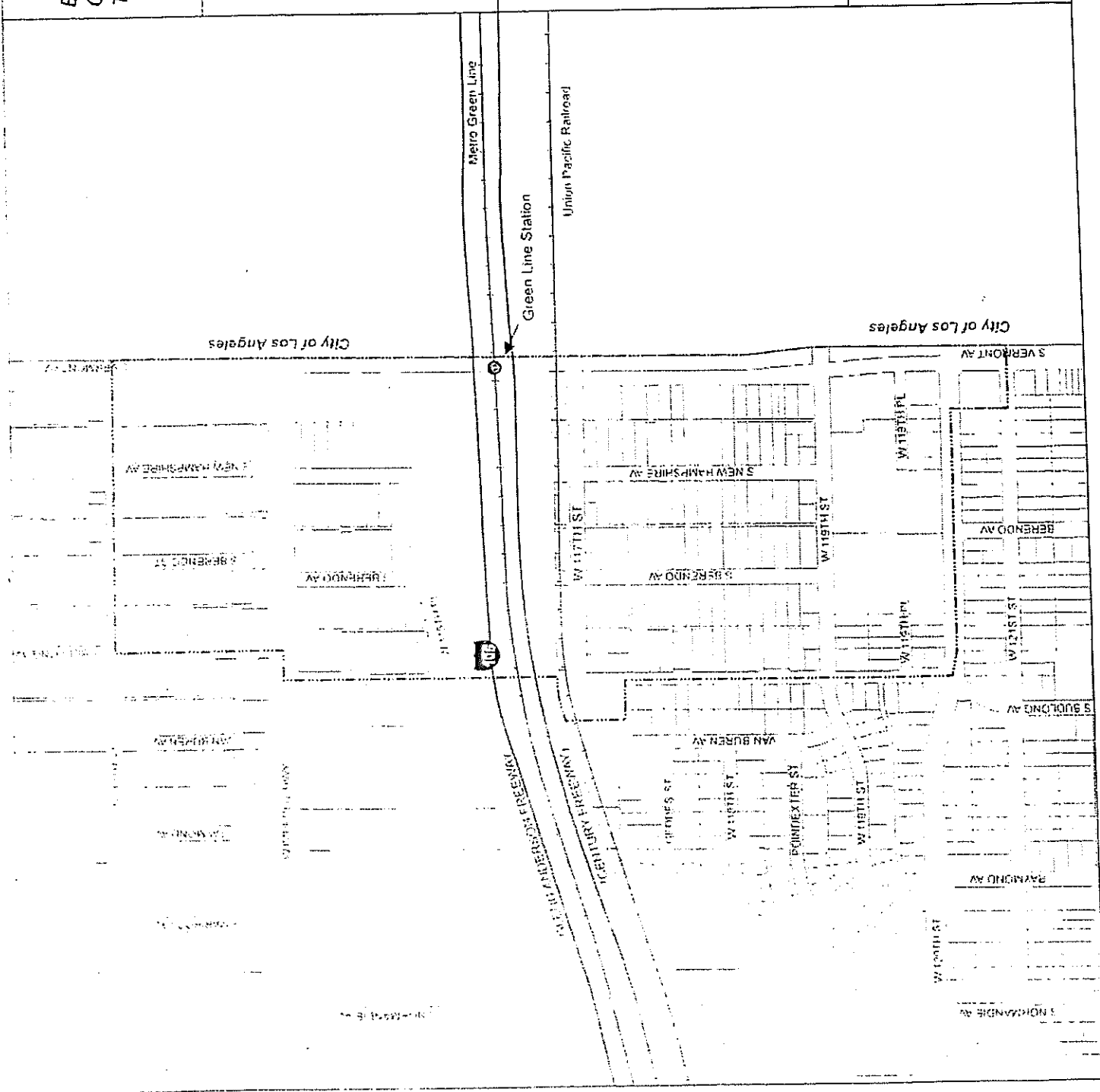
Legend:

-  Freeway
 Green Line Station
 Railroad
 Unincorporated Area Parcels
 Vermont Station TOD Boundary

Key Map:



Los Angeles County
Department of Regional Planning
320 W Temple St
Los Angeles, CA 90012



SECTION 4. This ordinance shall be published in The Metropolitan News a newspaper printed and published in the County of Los Angeles.



Gloria Molina

Chair

ATTEST:

Violet Varona-Lukens
Executive Officer - Clerk of the Board of
Supervisors of the County of Los Angeles

I hereby certify that at its meeting of January 25, 2005 the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

Ayes
Supervisors Yvonne B. Burke
Zev Yaroslavsky
Don Knabe
Michael D. Antonovich
Gloria Molina

Noes
Supervisors None

Effective Date: February 24, 2005

Operative Date: _____

Violet Varona-Lukens
Executive Officer - Clerk of the Board of
Supervisors of the County of Los Angeles

I hereby certify that pursuant to
Section 25103 of the Government Code,
a copy of this document has been made
available to the public.
VIOLET VARONA-LUKENS
Executive Officer
Clerk of the Board of Supervisors

By [Signature]
Secretary



APPROVED AS TO FORM:
RAYMOND G. FORTNER, JR.
County Counsel

By [Signature]
Raymond G. Fortner, Jr.
County Counsel

Appendix H

Green Line TOD Infill Estimation Study



Analysis of Infill Development Potential Under the Green Line TOD Ordinance

Prepared for the Los Angeles County Second Supervisorial District Office and the
Department of Regional Planning

Solimar Research Group
William Fulton, President & Research Director
Ryan Aubry, Associate & Chief GIS Analyst
March 31, 2005

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1. Introduction

On January 25, 2005, Los Angeles County adopted a Transit Oriented District (TOD) Ordinance for specific areas surrounding two Green Line stations adjacent to and within the unincorporated area. This report seeks to estimate infill opportunities in the West Athens and Lennox neighborhoods, adjacent to the Vermont and Hawthorne Green Line stations, and suggests how the new TOD Ordinance might help increase the motivation of both developers and landowners to invest in these infill opportunities. The report also briefly analyzes the potential density of a proposed housing development in Del Aire, near the interchange of I-405 and I-105. A draft of this report was prepared in December and January 2005 and presented to the Board of Supervisors at the time of the ordinance's adoption.

The Green Line TOD Ordinance provides several potential incentives for developers and property owners to build high-density housing and/or mixed-use development projects. These include:

- The ability to build residential units (within a mixed-use development) in commercial zones without a conditional use permit;
- Density bonuses for the use of vacant or nonconforming lots, lot consolidation, and construction of affordable housing;
- Reduced parking requirements for specified neighborhood retail uses;
- Expedited permit processing (director's review rather than CUPs) for some projects;
- Reduced permit fees for some projects.

In order to examine the opportunities, we used a methodology recently developed for the California Department of Transportation to estimate infill potential using a GIS methodology and to identify possible sites for infill development.

2. Infill Capacity and Opportunity Analysis

2.1. Methodology

For each Green Line TOD area, we conducted a GIS analysis to identify parcels that seem ripe for more intensive development under the TOD ordinance. We mapped these parcels and calculated statistics about them to give a sense of the overall infill potential.

For each TOD area, we produced six maps. These include:

1. 2001 Aerial Photographs
2. Assessor Land Use Code
3. Year Built (structure)
4. Improvement: Land Ratio
5. Built: Capacity Ratio
6. "Target" Parcels

A "Target" Parcel is a parcel that is significantly underutilized according both to zoning potential and Assessor's records. Most have structures on them; a few are vacant. Some also have legal nonconforming uses on them.

We identified Target Parcels based on a series of "screens" or "filters" that we applied to all parcels located within the boundaries of each Green Line TOD area.

The screens are defined as follows:

Built: Capacity Ratio

The first and most important screen we used was a comparison of what currently exists on the parcel versus what will be permitted under the proposed TOD zoning. We call this the "Built:Capacity Ratio." When there is considerably more capacity than under current zoning, investors are more likely to consider infill development.

For example, if zoning permits 4 units but only 2 currently exist, the Built:Capacity ratio is 0.50 (2 out of 4). If zoning permits 4 units but only 3 currently exist, the Built:Capacity Ratio is 0.75 (3 out of 4).

We screened the parcels for Built:Capacity ratios at both 0.50 and 0.75.

Improvement:Land Ratio

The second filter we used was a comparison between the value of the improvements on the property versus the value of the land itself, according to the Assessor. This is a very common measurement of underutilization in the private real estate market. When the land itself is worth more than the structures or other improvements, investors are more likely to consider infill development.

For example, if the improvements on a property are worth \$90,000, but the land itself is worth \$100,000, then the Improvement:Land Ratio is 0.9:1.

After screening for Built:Capacity ratio, we screened for anImprovement: Land ratio of 0.9:1. This eliminated parcels that might have a low Built:Capacity ratio, but have existing structures on them that are valuable enough that investors would not likely pursue new development.

Other Screens

In addition to the two screens listed above, we eliminated parcels based on three other criteria:

1. *Government Ownership*, as the government land within the TOD area is not likely to be used for infill development unless specifically designated by the government agency.
2. *Land Value of \$0*, because this is often an indication of some institutional ownership.
3. *Built After 1990*, because recent investments mean that landowners are not as likely to demolish and rebuild.

2.2 Lennox Neighborhood Analysis

The Lennox TOD area, which is specified in the proposed ordinance, is the unincorporated area to the north of the 105 Freeway and the Hawthorne Green Line Station. This area contains 530 parcels totaling 109 acres. As the Census 2000 maps show, this is a mostly renter neighborhood with low median incomes.

Currently, the Lennox area has 1,021 housing units - slightly less than 50% of the maximum allowed under current zoning. The TOD Ordinance will result in a change of zoning on 57 parcels (about 10% of the total). It will yield a minor increase in the maximum amount of housing permitted under zoning. This increase results mostly from the rezoning of manufacturing property, on which housing is not permitted, to a commercial zoning that does permit housing. However, because the area is so significantly underbuilt even with current zoning, significant TOD housing capacity does exist.

The area has very few vacant parcels. Aerial photos show a large vacant parcel at the corner of Hawthorne and 111th, but this is now a public school. There is a concentration of auto-related uses - considered undesirable under the TOD Ordinance - along Hawthorne just south of Lennox. Most residential structures were built before 1950; some commercial structures, especially along the west side of Hawthorne, were built in the 1970s and 1980s.

Our analysis found that about half the parcels (258 of 530) could be targets for TOD infill housing development under the 0.75 Built:Capacity ratio. (Table 2.1) However, we also found that most of these parcels were so significantly underbuilt that they also fell below the 0.50 Built:Capacity ratio. The Target Parcels are scattered throughout the Lennox TOD area. (Map 2-1.) Many are concentrated along Hawthorne Boulevard in a combination of C-2 and R-3-P areas.

Map 2-1: Lennox Target Parcels

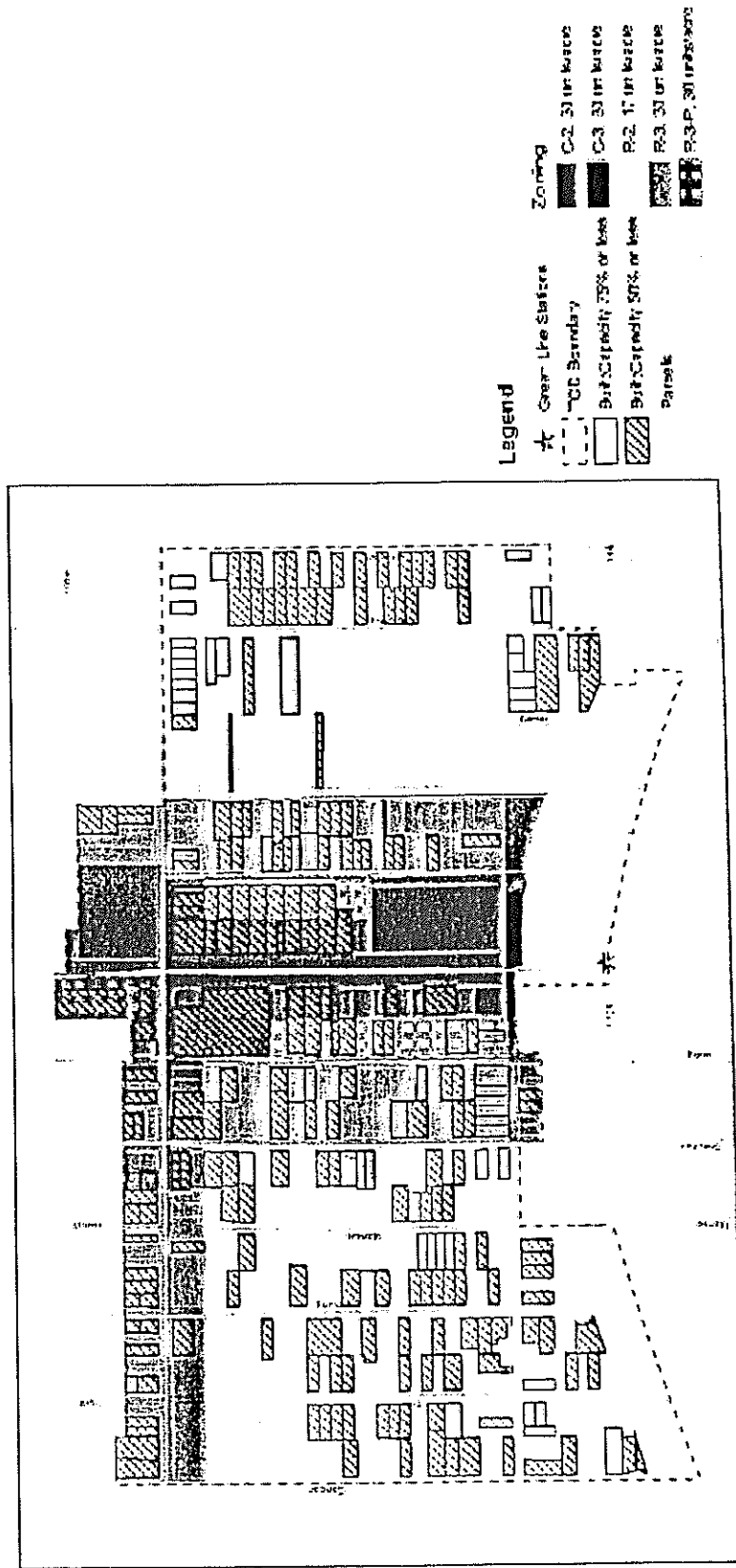


Table 2-1: Lennox Target Parcel Analysis

	Number of Parcels	Acreage	Average Acreage	Existing Units	Max Units	Average Built:Capacity Ratio	Remaining Capacity	Remaining Capacity Per Parcel
0.75 Built Capacity Scenario								
Total								
Parcels	258	42.8	0.17	278	909	0.36	631	2.45
By								
Zoning:								
C-2	29	7.5	0.26	5	139	0.06	134	4.62
R-2	141	21.9	0.16	151	372	0.43	221	1.57
R-3	73	10.1	0.14	106	304	0.35	198	2.71
R-3-P	15	3.2	0.21	16	93	0.22	77	5.13
0.50 Built Capacity Scenario								
Total								
Parcels	201	35.2	0.18	184	749	0.29	565	2.81
By								
Zoning:								
C-2	27	7.3	0.27	3	136	0.02	133	4.93
R-2	103	16.9	0.16	101	288	0.37	187	1.82
R-3	58	8.1	0.14	70	243	0.29	173	2.98
R-3-P	13	2.9	0.22	10	83	0.16	73	5.62

Whichever screen we use, however, the patterns are similar. Most existing units and, in numerical terms, most remaining capacity is included in the R-2 and R-3 zones (more or less evenly split between the two). However, the TOD target parcels in R-2 and R-3 are extremely small from a development perspective. The average is about 6,000 square feet – the typical building lot. Thus, consolidating residential lots is probably an essential component of TOD development on R-2 and R-3 lots. Obviously, there is more potential development per parcel on the R-3 lots, which are zoned for denser development.

From a capacity perspective, the most promising target parcels are the C-2 and R-3-P parcels. These are concentrated in close proximity to one another, mostly along Hawthorne Boulevard. They are larger than the residential parcels and the remaining capacity per parcel is much higher. The C-2 parcels have been developed with a variety of retail uses, whereas the R-3-P parcels, which are usually located behind the C-2s, have been developed with parking that supports the retail. The possibility of consolidating a number of C-2 and R-3-P parcels in a mixed-use project under the TOD ordinance would seem to make sense.

2.3 West Athens Neighborhood Analysis

The West Athens neighborhood covers the area approximately between Budlong and Vermont and between 112th and 120th, straddling both the 105 Freeway and the Vermont Green Line station. It is smaller than the Lennox area, consisting of 257 parcels totaling 59 acres. As the Census 2000 maps show, this is a higher-income area with a higher rate of owner occupancy than the Lennox neighborhood.

The existing arterial strip along Vermont is mostly residential. With a larger church property at Vermont and Imperial, there is relatively little commercial land in this area. Much of the property west of Vermont, between Imperial and the freeway, is zoned C-2, but most of it is developed currently as residences.

More than 20% of the parcels would be rezoned under the TOD ordinance, but this does not affect the possible housing buildout because the rezoning is mostly from C-3 to C-2. The residential structures date back mostly to the 1910s and 1920s, except along Vermont, where apartment buildings were constructed in the 1940s and 1950s.

West Athens would appear to have less potential from a capacity point of view than Lennox. The area already has 828 units – about 74% of the total capacity. Potential for fewer than 300 units remains. Partly for this reason, only 20% to 30% of the parcels have been identified as TOD targets, compared to about 50% in Lennox. (Table 2-2.)

Patterns of potential development are different in West Athens than in Lennox. Most target parcels are zoned R-2 – both north and south of the freeway – but very little capacity remains on these parcels. The C-2 parcels contain some potential (2.75 housing units per parcel on average) but there are very few parcels; there is already more housing on them; and they are smaller on average than Lennox C-2 parcels. These parcels are mostly in the area along Imperial that is zoned for commercial but built as industrial, along with a few parcels along Vermont south of the freeway. A handful of R-3 parcels contain significant capacity because they are so underbuilt currently, but they are very small. (Map 2-2.)

Map 2-2: West Athens Target Parcels

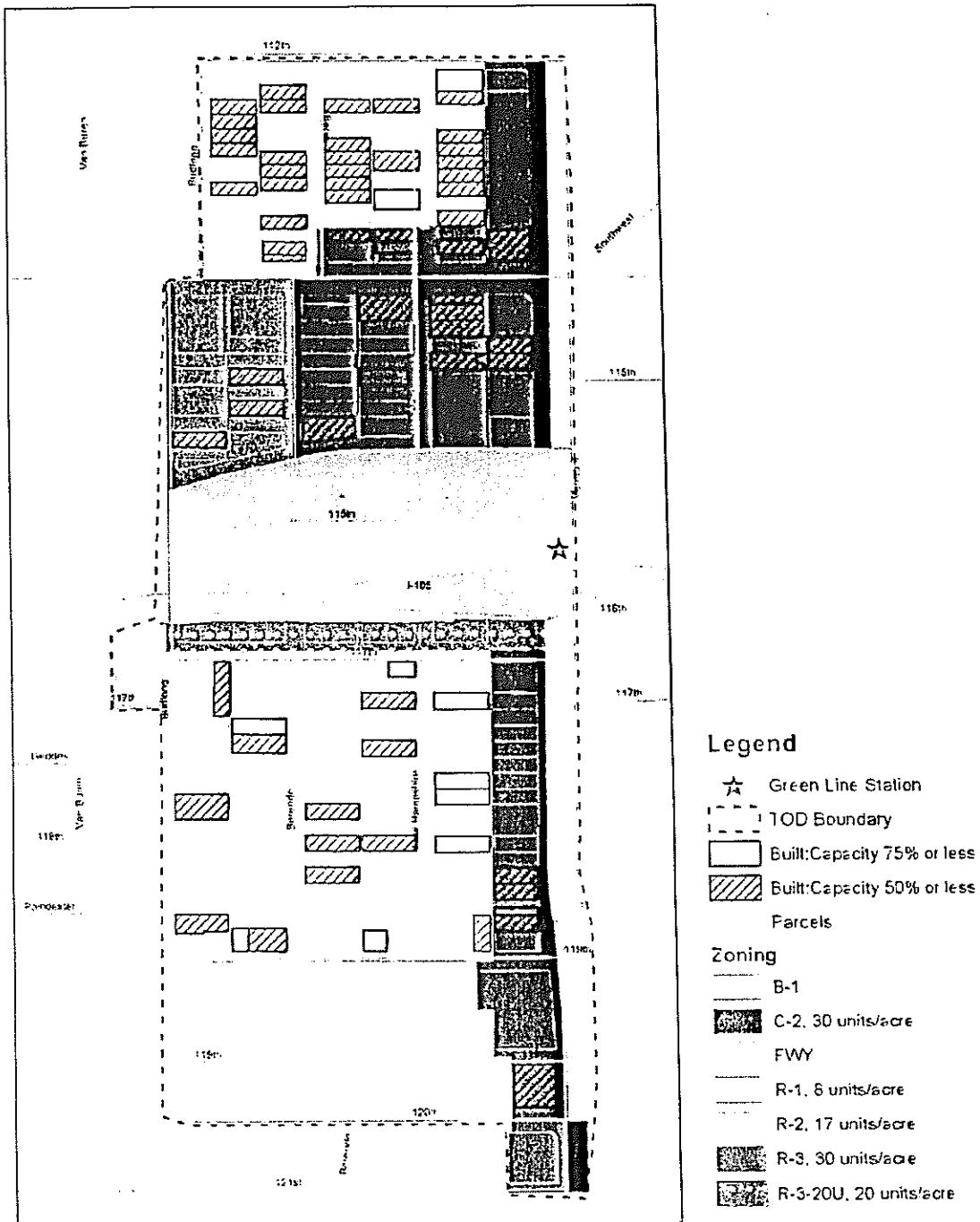


Table 2-2: West Athens Target Parcel Analysis

	Number of Parcels	Acreage	Average Acreage	Existing Units	Max Units	Average Built:Capacity Ratio	Remaining Capacity	Average Remaining Capacity Per Parcel
0.75 Built Capacity Scenario								
Total								
Parcels	72	12.1	0.17	71	213	0.35	142	1.97
By								
Zoning:								
C-2	19	3.6	0.19	14	61	0.23	47	2.47
R-2	50	7.9	0.16	54	135	0.4	81	1.62
R-3	3	0.56	0.19	3	17	0.18	14	4.67
0.50 Built Capacity Scenario								
Total								
Parcels	59	10	0.17	50	178	0.29	128	2.17
By								
Zoning:								
C-2	16	3.2	0.20	10	54	0.16	44	2.75
R-2	40	6.3	0.16	37	107	0.35	70	1.75
R-3	3	0.56	0.19	3	17	0.18	14	4.67

2.4 Del Aire/Pacific Concourse Analysis

The Del Aire/Pacific Concourse site consists of two parcels located southwest of the I-105/I-405 interchange. The site consists of two parcels totaling 5.21 gross acres. It is adjacent to an employment center and within the vicinity of an existing single-family neighborhood.

The property is vacant and therefore has an Improvement:Land ratio of 0. In other words, there are no improvements of any value on the site. It is currently zoned MPD (Manufacturing - Industrial Planned Zone), although the Land Use Policy designation is Category 1 (Low Density Residential).

There is a proposal pending to change the zoning to RPD-88U (Residential Planned Development), and there is a concurrent proposal to change the Land Use Policy designation to Category 4 (High Density Residential). The proposed density is similar to residential projects in Marina del Rey.

MPD zoning does not permit residential uses. However, under current Land Use Policy, the site could accommodate between 31 and 62 units. This would more than double to about 119 units or more if High Density Residential is approved for the site. If the proposed RPD zoning is adopted, the buildout would grow to more than 400 units.

The Del Aire site is an excellent location for high-density residential development because the site is situated within an employment center, and is buffered from existing residential neighborhoods on all sides by land developed as a business park and the existing freeways.

Map 2-3: Del Aire/Pacific Concourse

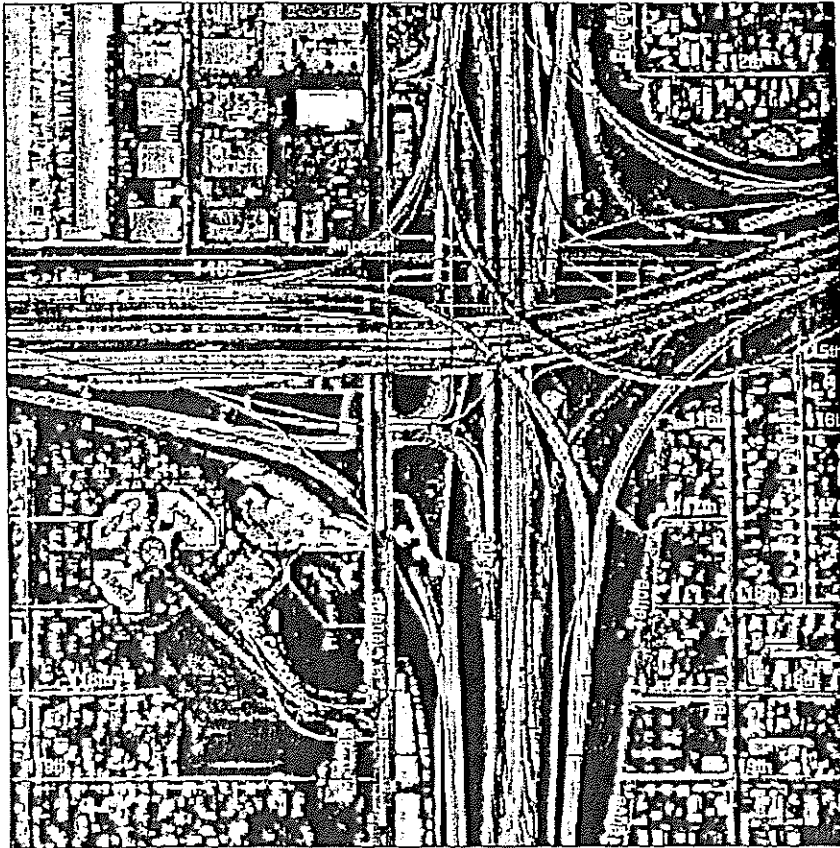


Table 2-3: Del Aire/Pacific Concourse Site Buildout Scenario

Size	Designation	Density	Buildout
Current Zoning	MPD	0	0
Proposed Zoning	RPD-88U	88	431
Current Land Use Policy	Low Density Residential	6-12	31-62
Proposed Land Use Policy	High Density Residential	23+	119+

3. Pro-Forma Analysis

3.1 Methodology

The Green Line TOD Ordinance provides several potential incentives for developers and property owners to build high-density housing and/or mixed-use development projects. These include:

- The ability to build residential units in commercial zones without a conditional use permit.
- Density bonuses for use of vacant or nonconforming lots, lot consolidation, and construction of affordable housing.
- Reduced parking requirements for residential and neighborhood retail uses.
- Expedited permit processing (director's review rather than a discretionary review) for some projects.
- Reduced permit fees for some projects.

We have attempted to apply these incentives to several prototype properties in order to roughly estimate how these incentives might affect development. We have focused on the Lennox area, rather than the West Athens area, only because of easier access to data. In making these estimates, we adapted both the methodology and the assumptions about costs and revenues that were used by Fregonese Calthorpe & Associates in their analysis of the infill potential around the Hawthorne Green Line Station in the adjacent City of Hawthorne, which was prepared for the Mobility 21 Smart Growth Partnership.¹ We double-checked this methodology and these assumptions by discussing it with members of the Los Angeles County Housing Advisory Committee. We have not identified the specific parcels under analysis, but they are based on real-life situations in Lennox. The financial assumptions we used are listed at the end of the report.

In most cases, we conducted a very rough pro-forma analysis comparing a conventional development proposal with a TOD-proposal (mixed-use on the C-3 parcels, high density on the R-2 and R-3 parcels). We also analyzed the difference between a situation where a developer must purchase the parcel and one where the current landowner participates as an equity partner. In all cases our bottom line was the Return on Investment ("ROI") – that is, the annual operating income divided by the total project cost, a typical measure used by real estate investors. For simplicity's sake, we assumed that the residential units are rental units and we did not take into account the time value of money, except in calculating the financial value of a director's review as opposed to a discretionary review for a conditional use permit.

¹ Mobility 21 Smart Growth Partnership, *LA County Moving Together to Promote Smarter Growth: Report on Infill Opportunities*, May 2004. http://www.mobility21coalition.com/smartgrowth/pdf/white_paper1.pdf

We have probably also overestimated retail revenue in mixed-use projects, because we assumed the developer could obtain full market rent, whereas mixed-use developers tell us they usually must run retail as a loss leader, at least in the first couple of years.

3.2 Overall Conclusions

In all cases, we found that the TOD Ordinance holds the potential to increase the ROI for a prospective developer or investor in the Lennox area. Even with the additional incentives contained in the TOD Ordinance, these returns are modest (often in the range of 4-6%, lower than the level at which most private investors would show interest).

However, these ROI's could be increased through additional County programs that are not considered in this pro-forma analysis. For example, if the TOD areas - or portion of them - were included in a County redevelopment area, the cost of the land could be "written down" by the redevelopment agency. Similarly, the affordable housing calculations assume that the affordable rents are subsidized only through the project; if they were further subsidized through other sources of funding for the low-income portions of the project, the ROI would be further improved.

Overall, we found that there is probably a higher ROI available on mixed-use projects on C-2 than for high-density residential projects on R-2 and R-3. This is largely because of the combination of retail and housing. A retail-only project will produce a low but acceptable ROI. When combined with fairly high-density housing at current rates and prices - as well as the lower parking ratios permitted on a mixed-use project - the ROI increases by 50% or more.

On residential properties, we found that the density bonuses available for a variety of purposes - including use of vacant and nonconforming uses and lot consolidation as well as affordable housing - are substantial enough to increase the ROI. It is possible to combine density bonuses to achieve a 40% density increase, and the maximum density increase is 50%. Combined with the reduced parking ratios, this can have a significant impact.

In our view, the greatest unknown is not what will motivate a developer to pursue a desired development project, but what will motivate landowners to be interested in selling to a developer. Most C-2 properties do not change hands often; they are owned by longtime property owners who have an extremely low, pre-Proposition 13 taxes. Any revenue-producing retail use will provide enough profits to dampen any desire to develop a new project. Many R-2 and R-3 properties have traded hands recently, but usually either as residences or as residential income properties based on current development.

3.3 Individual Pro Forma Results

Prototype 1: Large Commercial Parcel

Prototype 1 is a large (two acre) commercial parcel along a commercial strip in the Lennox area. It is typical in the sense that it has not changed hands since the 1960s and is currently occupied by an aging retail center.

Our pro-forma analysis compares the construction of a new, one-story, 43,000-square-foot shopping center with a three-story mixed-use project that would include 62 housing units (the maximum permitted by C-3 zoning) and 30,000 square feet of neighborhood retail development on the ground floor. We conducted this pro-forma assuming that the developer purchased the property from the current property owner for \$40 per square foot.

Rents from the housing units more than make up for the loss of some of the retail space. In addition, the lower parking ratios – a reduction of 40% for residential and 25% for neighborhood retail – make a significant difference as well. Whereas a conventional retail project requires 113 parking spaces for 43,000 square feet, the mixed-use project requires 124 spaces for 62 housing units and 30,000 square feet of retail. Furthermore, the developer sees a significant savings from the mixed-use project falling under the “director’s review” category, rather than a conditional use permit.

The bottom line is that a mixed-use center, while more costly to build, provides an ROI 4.6%, as opposed to 3.0% for a conventional shopping center. This is still low, but suggests that the power of the TOD ordinance combined with other incentives could motivate developers to pursue mixed-use projects.

Table 3-1: Prototype 1 (Large Commercial Parcel) Pro Forma Analysis

	Conventional Shopping Center	Mixed-Use Center
Parcel Size (Sq Ft)	89,158	89,158
New Retail (Sq Ft)	43,083	30,418
New Housing (Units)	0	62
Stories	1	3
Underground Parking?	No	Yes
Parking Spaces	113	124
Land Cost	\$ 3,566,320	\$ 3,566,320
Demolition Cost	\$ 356,632	\$ 356,632
Construction Cost	\$ 4,531,324	\$ 11,061,079
Consulting/Entitlements	\$ 543,759	\$ 1,327,329
Parking Cost	\$ 339,849	\$ 1,189,066
Total Cost	\$ 9,337,884	\$ 17,500,426
Total Annual Rent	\$ 481,453	\$ 1,188,209
Total Ann'l Op Cost	\$ 203,910	\$ 386,585
Net Operating Income	\$ 277,543	\$ 801,624
Return on Investment	3.0%	4.6%

Prototype 2: Consolidating and Developing 2 Vacant C-2 Lots

Prototype 2 assumes that two small C-2 lots, adjacent to one another, could be consolidated and developed as a mixed-use center. The two lots together total less than 8,000 square feet, or only about one-fifth of an acre. Our pro-forma analysis compares the development of a 3,000-square-foot traditional strip center with 5 housing units and a 2,600-square-foot neighborhood retail center.

The mixed-use alternative yields a higher ROI (4.6% as opposed to 3.2%), primarily because of the reduced parking ratios. Although it includes 5 residential units, the mixed-use project requires the same number of parking spaces as the retail-only project. This project could be more successful if the density bonuses for developing vacant lots and consolidating lots applied to commercial as well as residential parcels.

It is important to note, however, that the project is too small to be feasible for an actual developer. Adjacent vacant commercial parcels are hard to find. In all likelihood, a developer would combine these parcels with other underutilized commercial parcels to create a larger site.

Table 3-2: Prototype 2 (Vacant C-2 Lots) Pro Forma Analysis

	Conventional Shopping Center	Mixed-Use Center
Parcel Size (Sq Ft)	7,876	7,876
New Retail (Sq Ft)	3,028	2,679
New Housing (Units)	0	5
Stories	1	0
Underground Parking?	0	0
Parking Spaces	9	9
Land Cost	\$ 315,000	\$ 315,000
Demolition Cost	-	-
Construction Cost	\$ 340,243	\$ 1,055,272
Consultants/Entitlements	\$ 40,829	\$ 126,633
Parking Cost	\$ 25,518	\$ 31,658
Total Cost	\$ 721,590	\$ 1,528,563
Total Annual Rent	\$ 38,603	\$ 104,640
Total Ann'l Op Cost	\$ 15,350	\$ 34,045
Net Operating Income	\$ 23,253	\$ 70,595
Return on Investment	3.2%	4.6%

Prototype 3: Consolidating 3 R-3 Lots

Prototype 3 is a high-density residential project in which three R-3 lots are combined and additional units are placed on the single-family parcels. This is a feasible alternative in many parts of the TOD Ordinance area.

The developer gains only 2 units by developing the three parcels together, with the 15% lot consolidation bonus. Thus, the increase in the ROI is small, from 4.6% to 4.8%. It is important to note, however, that the consolidated project is probably far more feasible than a 4 or 5-unit project on each parcel. In other words, a consolidated three-parcel project is much more likely to actually be undertaken by a developer in any event, and the 2-unit increase because of the lot consolidation bonus will increase the potential profit.

It is important to note that an additional density bonus for affordable housing - bringing the total density bonus to 50% - increases the ROI only slightly, to 4.9%, because rents must be heavily discounted (by approximately 40%) to meet current income guidelines. If affordable rents could be subsidized from some other funding source, as is often the case in affordable housing projects, the developer's ROI would increase even more.

Table 3-3: Prototype 3 (R-3 Lots) Pro Forma Analysis

	No Consolidation	Consolidation	Consolidation w/Aff Density Bonus
Parcel Size (Sq Ft)	20,832	20,832	20,832
New Retail (Sq Ft)	0	-	-
New Housing (Units)	14	16	21
Stories	3	3	3
Underground Parking?	0	0	0
Parking Spaces	14	14	19
Land Cost	\$ 833,280	\$ 833,280	\$ 833,280
Demolition Cost	\$ 83,280	\$ 83,280	\$ 83,280
Construction Cost	\$ 1,710,450	\$ 1,911,679	\$ 2,515,367
Consulting/Entitlement	\$ 205,254	\$ 229,401	\$ 301,844
Parking Cost	\$ 43,013	\$ 37,347	\$ 56,596
Total Cost	\$ 2,875,277	\$ 3,094,987	\$ 3,790,367
Total Annual Rent	\$ 184,729	\$ 206,461	\$ 260,340
Total Ann'l Op Cost	\$ 51,313	\$ 57,350	\$ 75,461
Net Operating Income	\$ 133,416	\$ 149,111	\$ 184,879
Return on Investment	4.6%	4.8%	4.9%

Density Bonus Scenario assumes average rent of \$745 rent for a 2 bedroom apartment on 10% of the units, compared with \$1,200 market rent on all other units.

Prototype 4: Consolidating and Developing 2 Vacant R-2 Lots

The TOD Ordinance provides considerable incentives to develop residential land if lots can be consolidated and the lots are already vacant and/or hold nonconforming uses. Prototype 4 assumes the consolidation and development of two adjacent R-2 parcels totaling 16,000 square feet, or about 0.4 acres.

Conventional development of the R-2 parcels would permit construction of six units with (under the TOD ordinance) five parking spaces. The consolidated project would qualify for a 40% density bonus for consolidating lands and building on vacant lots, permitting construction of nine units with eight parking spaces. (A 40% density bonus would produce 8.4 units, but fractional units are rounded up to the next whole number.) This would increase ROI from 3.8% to 4.5%.

The addition of affordable housing in this case would provide no additional density. A 50% density bonus would also produce a nine-unit project, but one of the units would have to be affordable. However, the affordable housing component would trigger a staff review rather than a conditional use permit, creating some cost savings. (We assumed that a staff review saves six months, which translates into 3% of project cost assuming 80% of the funding is borrowed.) This does not offset lost revenue for the affordable unit, however. We estimate the ROI on this project would be 4.3%.

The relatively low density in the R-2 zone (17 units per acre) makes it difficult for an affordable project to show a reasonable ROI unless (as is often the case in affordable housing projects) other funding sources are used.

Although this prototype represents a promising opportunity, it is an unusual situation. Very few vacant residential parcels exist in the TOD areas, much less two such parcels adjacent to one another.

Table 3-4: Prototype 4 (R-2 Lots) Pro Forma Analysis

	No Consolidation	Consolidation	Consolidation W/Affordable Density
Parcel Size (Sq Ft)	16,000	16,000	16,000
New Retail (Sq Ft)	0	-	-
New Housing (Units)	6	9	9
Stories	3	3	3
Underground Parking?	No	No	No
Parking Spaces	5	8	8
Land Cost	\$ 651,200	\$ 651,200	\$ 651,200
Demolition Cost	\$ -	\$ -	\$ -
Construction Cost	\$ 720,769	\$ 1,074,601	\$ 1,074,601
Consulting/Entitlements	\$ 86,492	\$ 128,952	\$ 128,952
Parking Cost	\$ 16,217	\$ 24,179	\$ 24,179
Total Cost	\$ 1,474,678	\$ 1,878,932	\$ 1,878,932
Staff Review (6 mos)			\$ (56,368)
Real Cost	\$ 1,474,678	\$ 1,878,932	\$ 1,822,564
Total Annual Rent	\$ 77,843	\$ 116,057	\$ 111,221
Total Ann'l Op Cost	\$ 21,623	\$ 32,238	\$ 32,238
Net Operating Income	\$ 56,220	\$ 83,819	\$ 78,983
Return on Investment	3.8%	4.5%	4.3%

Density Bonus Scenario assumes average rent of \$745 rent for a 2 bedroom apartment on on unit, compared with \$1,200 market rent on all other units.

Prototype 5: Consolidating and Developing 3 Mixed C-2/R-3-P Parcels

The final prototype involves a typical parcel situation in the TOD neighborhoods - parcels that run all the way from a commercial street to an adjacent residential street and are split between C-2 and R-3-P zoning. This prototype assumes the consolidation of three such lots, creating a parcel of 13,000 square feet, or approximately one-third of an acre.

Our analysis compares the development of a separate retail project on the commercial street and residential project on the residential street with a combined mixed-use project. The combination project generates a 25% parking ratio reduction for retail on the mixed-use project, plus a 15% lot consolidation density bonus on the residential portions of the property. In addition, the mixed-use project qualifies for a director's review, while the other residential project would require a conditional use permit.

The ROI on the two individual projects is 4.6%, while the ROI on the combined mixed-use project is 5.4% - a significant increase. This figure would be higher if the conventional residential-only project did not also qualify for reduced parking ratios under the TOD Ordinance.

Table 3-5: Prototype 5 (C-2/R-3-P Lots) Pro Forma Analysis

	No Consolidation	Consolidation
Parcel Size (Sq Ft)	13,000	13,000
New Retail (Sq Ft)	3,850	4,800
New Housing (Units)	4	9
Stories	1	3
Underground Parking?	No	No
Parking Spaces	16	20
Land Cost	\$ 350,000	\$ 350,000
Demolition Cost	\$ 35,000	\$ 35,000
Construction Cost	\$ 987,754	\$ 1,746,151
Consulting/Entitlements	\$ 118,382	\$ 209,538
Parking Cost	\$ 45,456	\$ 56,750
Total Cost	\$ 1,536,592	\$ 2,397,439
Staff Review (6 mos)		\$ 35,962
Real Cost	\$ 1,536,592	\$ 2,361,477
Total Annual Rent	\$ 105,815	\$ 187,576
Total Ann'l Op Cost	\$ 35,558	\$ 61,028
Net Operating Income	\$ 70,257	\$ 126,548
Return on Investment	4.6%	5.4%

Appendix A: Pro Forma Assumptions

Financial assumptions were based on existing Calthorpe Fregonese analysis of Hawthorne Green Line Station neighborhood, amended after discussions with members of the Los Angeles County Housing Advisory Committee. These are rough estimates designed to give a general idea of costs and revenues. Actual project costs and revenues vary widely depending on individual circumstances.

Project Costs

Parking

Area per parking space	375 square feet
Cost Per Parking Space	
Surface Parking	\$8 per square foot
Structured Parking	\$25 per square foot
Underground	\$35 per square foot

Land \$40 per square foot

Construction Costs \$120 per square foot

Demolition Cost 10% of Construction Cost

Consultant & Entitlement
Costs 12% of Project Cost

Revenues (per square foot per month)

Residential Rent

Market-Rate	\$1.20
Affordable	\$0.745
Average Size of Unit	1,000 square feet

Retail \$1.25

Operating Costs (per square foot per month)

Residential	\$0.30
Retail	\$0.45

Appendix I

**Work Scope for SCAG-Funded
L.A. County Urban Infill Estimation Project**

Manager:**Program Objectives:**

The Los Angeles County Department of Regional Planning (DRP) requests funding from the Southern California Association of Governments (SCAG) to employ an experienced consultant who will work with DRP staff to refine and apply an infill development methodology, known as the Infill Estimation Tool, to those areas of unincorporated Los Angeles County that fall within Southern California Compass Growth Vision and 2% Strategy-defined Centers and Corridors. The Infill Estimation Tool, which was developed from the California Infill Estimation Project, is a GIS-based method that can be used to identify individual infill parcels, and to analyze the likely results and "success" of different infill strategies. The Tool operates with ArcGIS and MS Excel software.

The Los Angeles County Urban Infill Estimation Project furthers the implementation of the Southern California Compass Growth Vision and 2% Strategy by utilizing a model that broadly applies and analyzes infill development strategies within the SCAG region. As the Project produces an inventory and GIS maps of potential infill opportunity sites, and as those results will be shared with other local jurisdictions and the development community, it contributes to SCAG's strategy to assemble and maintain a quality regional database of vacant and reuse opportunity sites. As the Project evaluates the success of specific infill strategies, including transit-oriented development, in Compass and 2% Strategy-defined Centers and Corridors in unincorporated Los Angeles County, it contributes to SCAG's strategy to develop pilot projects that show the Growth Vision in action. Furthermore, as the Project produces measured and quantifiable results, it contributes to SCAG's overarching strategy to develop a monitoring system for the Compass Growth Visioning effort. The research conducted for the Project will produce a body of knowledge that will guide policymaking efforts to support infill development within unincorporated Los Angeles County. It will also provide a body of knowledge that can be used to assist infill efforts within seven SCAG sub-regions: San Gabriel Valley COG, Gateway Cities COG, South Bay Cities COG, Westside Cities, Arroyo Verdugo Cities, North Los Angeles County and the City of Los Angeles.

The DRP would achieve the following objectives:

- Promote infill development and smart growth within SCAG sub-regions by identifying potential sites within the existing urban infrastructure.
- Reinforce the link between transportation and land use by encouraging infill policies, including transit-oriented development.
- Address the housing shortage in Southern California by identifying potential infill development sites for rezoning to higher residential densities that support multi-family housing.
- Produce data and analyses that can be used to facilitate a more effective land inventory for the next Housing Element update.
- Assist policymakers in making effective decisions about infill development by testing the impacts of different strategies.

Program Accomplishments:

In 2001, as part of the CA Infill Estimation Project, Environment Now assembled a team of stakeholders, including staff from the Los Angeles County Department of Regional Planning, the City of Los Angeles and SCAG, to design and test an infill analysis tool in the Los Angeles urban region that would have broad

application within the State. The team, known as the Infill Methodology Working Group, was led by Environment Now, their consultants (Solimar Research Group, Inc. and Terrell Watt Consulting) and included a team of local planning, housing and community development experts. In June 2004, the California Infill Estimation Project unveiled a new, real-life model that enables planners and policymakers to effectively implement infill development policies and programs. The Infill Estimation Project was funded by a Caltrans Environmental Justice (EJ) grant to the City of Los Angeles. With the assistance of Solimar Research Group, Inc., the study resulted in the successful pilot application of the Infill Estimation Tool to unincorporated East Los Angeles.

This project also builds off of the work, funded in part by SCAG in FY 02-03, by the Los Angeles County Department of Regional Planning and its Housing Advisory Committee to develop a methodology for identifying, as well as selecting, opportunities for infill development in unincorporated Los Angeles County. The Housing Opportunities Areas Study was an effort to identify areas that may be appropriate to accommodate increased residential densities, for further study. The goals of the study were to complete a vacant land inventory that meets the statutory requirements of State Housing Element law, to identify vacant parcels suitable for residential use and to identify vacant parcels suitable for multifamily housing. The Vacant Land Study was an effort to develop site selection criteria for vacant sites in "urban" areas of unincorporated Los Angeles County.

Total Grant Amount Requested: \$120,000

For Consultant Work

06-XXX.XXXCX LA County Urban Infill Estimation Project

Budget \$79,069 Funds Source Internal use only
--

Manager:

Consultant:

Contract Number:

Contract Amount:

Previous Accomplishments:

Steps:

- 1) **Assemble and streamline data:** Work with DRP staff and various agencies, including SCAG, Los Angeles County Department of Public Works, and the Los Angeles County Assessor's office to gather data, and to purchase additional data as needed. Work with DRP staff to streamline inconsistencies in data. (July 2005 – August 2005)
- 2) **Set-up Infill Estimation Tool:** Load data into the Infill Estimation Tool, and activate "filters," such as zoning or land use policy, lot size, ratio of existing housing to maximum build out, ratio of assessed value of improvements versus assessed value of land, etc. Work with DRP staff to apply local knowledge to scan and manually remove parcels that are determined to not be viable for further development. (August 2005 – November 2005)
- 3) **Devise strategies and assumptions:** Work with DRP staff to define infill strategies, such as transit-oriented development and density bonus, and to generate assumptions about them, including increased density, market activity and increased activity due to the strategy. (September 2005 – November 2005)
- 4) **Scan infill sites using the Geographical Screening Feature:** Work with DRP staff to use SCAG-provided maps of areas in unincorporated Los Angeles County that fall within Compass and 2% Strategy-defined Centers and Corridors to screen for infill opportunities geographically, as well as quantitatively, in terms of parcels, acreage and potential units. (November 2005 – January 2006)
- 5) **Analyze potential sites by criteria using the Infill Strategy Evaluation Feature:** Work with DRP staff to evaluate the potential impact of infill strategies on areas of unincorporated Los Angeles County that fall within Compass and 2% Strategy-defined Centers and Corridors by linking previously selected strategies to the statistical results and maps of Geographic Screening. (January 2006 – March 2006)
- 6) **Initiate evaluation of previous smart growth/infill initiatives:** Work with DRP staff to identify potential methods for using the Infill Estimation Tool and methodology to track, monitor, and evaluate the success of projects that have been approved under existing Los Angeles County smart growth initiatives. (March 2006 – June 2006)
- 7) **Final Work Report:** Work with DRP staff to prepare and complete the Final Work Report. (March 2006 – June 2006)

Products:

- Parcel-specific GIS maps that identify potential infill development areas and sites in unincorporated Los Angeles County that fall within Southern California Compass Growth Vision and 2% Strategy-defined Centers and Corridors. (November 2005)
- Numerical values of infill potential for areas and sites, such as built capacity, in unincorporated Los Angeles County that fall within Southern California Compass Growth Vision and 2% Strategy-defined Centers and Corridors. (March 2006)

LA County Department of Regional Planning

- A report that includes a description of the methodology used and a discussion of the strategies applied to specific geographic areas to develop the infill estimates (June 2006)

Planning Emphasis Area Addressed (PEA): 5

Planning Factor Addressed (PF): 3,4,7

FY 06-07 Continuing Activities:

04-05 Work Element Number:

Completed

Continuing

For Staff Work

06-XXX.XXXSX LA County Urban Infill Estimation Project

Budget \$ 40,931 Funds Source Internal use only

Manager:

Previous Accomplishments: The Los Angeles County Department of Regional Planning (DRP) has worked on a number of projects that promote infill development and the coordination between land use and transportation, including the establishment of transit-oriented districts in unincorporated Los Angeles County along the Metro Blue Line and Green Line. DRP staff has also participated in the development of the California Infill Estimation Project, and has worked with the Solimar Research Group, Inc. to pilot-test the Infill Estimation Tool on unincorporated East Los Angeles. Furthermore, in FY 2002-2003, DRP staff worked with the County's Housing Advisory Committee and SCAG to develop the Housing Opportunities Areas Study and the Vacant Land Study. Currently, the DRP is working on its General Plan update, which includes the reinforcement of infill strategies in the Land Use Element.

Steps:

- 1) **Assemble and streamline data:** Provide the consultant with digitized zoning or land use policy maps and other available data. Work with the consultant to gather data necessary for the Infill Estimation Tool from various agencies, including SCAG, Los Angeles County Department of Public Works, the Los Angeles County Assessor's office, and to streamline inconsistencies in the data. (July 2005 – August 2005)
- 2) **Set-up Infill Estimation Tool:** Apply local knowledge to scan and manually remove parcels that are determined to not be viable for further development. This process, which entails going through forty map sheet areas and four community plan areas, will require significant staff time and resources. (August 2005 – November 2005)
- 3) **Devise strategies and assumptions:** Work with the consultant to define infill strategies, such as transit-oriented development and density bonus, and to generate assumptions about them, including increased density, market activity and increased activity due to the strategy. Conduct research to justify those assumptions. (September 2005 – November 2005)
- 4) **Scan infill sites using the Geographical Screening Feature:** Work with the consultant to use SCAG-provided maps of areas in unincorporated Los Angeles County that fall within Compass and 2% Strategy-defined Centers and Corridors to screen for infill opportunities geographically, as well as quantitatively, in terms of parcels, acreage and potential units. (November 2005 – January 2006)
- 5) **Analyze potential sites by criteria using the Infill Strategy Evaluation Feature:** Work with the consultant to evaluate the potential impact of infill strategies on areas of unincorporated Los Angeles County that fall within Compass and 2% Strategy-defined Centers and Corridors by linking previously selected strategies to the statistical results of Geographic Screening. (January 2006 – March 2006)
- 6) **Initiate evaluation of previous smart growth/infill initiatives:** Identify previous smart growth initiatives that have been approved by Los Angeles County, and identify data sources that the County would need in order to track, monitor and evaluate their success, using the Infill Estimation Tool and methodology. Prepare a report with recommendations on the development and implementation of the tracking and monitoring system. (March – June 2006)
- 7) **Final Work Report:** Coordinate with the consultant to prepare and complete the Final Work Report. (March 2006 – June 2006)

Products:

- Analysis of the potential impact of infill strategies on areas of unincorporated Los Angeles County that fall within Compass and 2% Strategy-defined Centers and Corridors. (March 2006)

LA County Department of Regional Planning

- Report of recommendations for how the County will evaluate previous smart growth initiatives approved by Los Angeles County, using the Infill Estimation Tool and methodology. (June 2006)
- Quarterly progress reports to SCAG (October 2005, January 2006, April 2006, July 2006)
- Forward copies of the consultant's Final Work Report to SCAG (June 2006)

Planning Emphasis Area Addressed (PEA): 5

Planning Factor Addressed (PF): 3,4,7

FY 06-07 Continuing Activities:

04-05 Work Element Number:

Completed

Continuing

Appendix J

Draft Density Bonus Ordinance

**DEPARTMENT OF REGIONAL PLANNING
COUNTY OF LOS ANGELES**

NOTICE OF PUBLIC HEARING

Proposed amendments to the Los Angeles County Code (Title 22- Zoning Ordinance) pertaining to Density Bonuses consistent with the State Density Bonus Law (Government Code Section 65915) and to restructure the affordable housing provisions in the Zoning Ordinance for ease of use, to delete obsolete provisions, to amend existing references for internal consistency, and to establish revised fees.

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Regional Planning Commission on Wednesday June 22, 2005 at 9:00 a.m. in Room 150 of the Hall of Records, 320 West Temple Street, Los Angeles, California 90012, to consider the above amendment and/or other amendments to Title 22 deemed appropriate by the Commission. Interested persons will be given an opportunity to testify.

Pursuant to the California Environmental Quality Act and County Guidelines, it has been determined that the proposed Zoning Ordinance amendments will not result in a physical change in or cause any harm to the physical environment. Accordingly, it has been determined that the proposed amendments may qualify for a Negative Declaration under the provisions of CEQA and the County Guidelines.

Copies of the draft amendment and related documents will be available for review beginning on May 23, 2005 in the offices of the Department of Regional Planning, Hall of Records, Room 1354, 320 West Temple Street, Los Angeles, California 90012, at the department's website <http://planning.co.la.ca.us> under Public Review Documents, and at all Los Angeles County public libraries.

If you are unable to attend the public hearing but wish to send written comments, please write to the Los Angeles County Regional Planning Commission, 320 West Temple Street, Los Angeles, California 90012, or send an e-mail to Ms. Connie Chung at cchung@planning.co.la.ca.us. Further information concerning the proposed ordinance may be obtained by telephoning Ms. Chung at (213) 974-6425 between 7:30 a.m. and 6:00 p.m., Monday through Thursday. Our offices are closed on Fridays. Callers from North County areas may dial (661) 272-0964 (Antelope Valley) or (661) 253-0111 (Santa Clarita) toll free and then request a connection to 974-6425.

"Este es un aviso de una audiencia pública. La enmienda propuesta, al código del Condado de Los Angeles (Título 22), es para que las primas de densidad del condado sean consistentes con las primas de densidad de el estado (sección 65915 del código del gobierno). La enmienda también será para reestructurar la provisión de viviendas en el código de zoneamiento. La audiencia pública tendrá lugar el miércoles, 22 de junio de 2005 a las 9:00 a.m. en el salón 150 de el Hall of Records en 320 West Temple Street, Los Angeles, California 90012. Si necesita más información favor llamar al Departamento de Planificación al (213) 974-6466."

"ADA ACCOMMODATIONS: If you require special accommodations or materials in alternate format, please contact the Americans with Disabilities Act Coordinator at (213) 974-6488 (Voice) or (213) 617-2292 (TDD), with at least three business days notice".

ORDINANCE NO. _____

An ordinance amending Title 22—Planning and Zoning—of the Los Angeles County Code related to affordable housing developments and density bonuses.

The Board of Supervisors of the County of Los Angeles hereby ordains as follows:

SECTION 1. Section 22.08.010 is hereby amended to add the definition of the term "affordable housing costs" to the list of terms under the letter "A" in alphabetical order as follows:

22.08.010 A.

...

-- "Affordable housing costs" are those amounts set forth in Section 50052.5 of the Health and Safety Code.

...

SECTION 2. Section 22.08.030 is hereby amended to add the definition of the term "condominium project" to the list of terms under the letter "C" in alphabetical order as follows:

22.08.030 C.

-- "Condominium project" means a project as defined by Section 1351(f) of the Civil Code.

...

SECTION 3. Section 22.08.160 is hereby amended to add the definition of the term "planned development" to the list of terms under the letter "P" in

1 alphabetical order as follows:

2 **22.08.160 P.**

3 ...

4 -- "Planned development" means a project as defined by Section
5
6 1351(k) of the Civil Code.

7 ...

8 **SECTION 4.** Section 22.20.100 is hereby amended as follows:

9
10 **22.20.100 Uses subject to permits.**

11 Property in Zone R-1 may be used for:

12 A. The following uses, provided a conditional use permit has first been obtained
13 as provided in Part 1 of Chapter 22.56, and while such permit is in full force and
14 effect in conformity with the conditions of each permit for:

15 ...

16
17 ~~--- Density bonus, subject to the provisions of Section 22.56.202.~~

18 ...

19
20 **SECTION 5.** Section 22.20.190 is hereby amended as follows:

21 **22.20.190 Uses subject to director's review and approval.**

22 If site plans therefor are first submitted to and approved by the director,
23 premises in Zone R-2 may be used for:

24 A. The following uses subject to the same limitations and conditions provided in
25 Section 22.20.090 (Zone R-1):

26 ...

27
28 -- Density bonus.

1 ...

2 SECTION 6. Section 22.20.200 is hereby amended as follows:

3 22.20.200 Uses subject to permits.

4 Property in Zone R-2 may be used for:

5 A. The following uses, provided a conditional use permit has first been obtained
6 as provided in Part 1 of Chapter 22.56, and while such permit is in full force and
7 effect in conformity with the conditions of such permit for:
8

9 ...

10 ~~Density bonus, subject to the provisions of Section 22.56.202.~~

11 ...

12 SECTION 7. Section 22.20.280 is hereby amended as follows:

13 22.20.280 Uses subject to director's review and approval.

14 If site plans therefor are first submitted to and approved by the director,
15 premises in Zone R-3-()U may be used for:

16 A. The following uses subject to the same limitations and conditions provided in
17 Section 22.20.090 (Zone R-1):
18

19 ...

20 -- Density bonus.

21 ...

22 SECTION 8. Section 22.20.290 is hereby amended as follows:

23 22.20.290 Uses subject to permits.

24 Property in Zone R-3-()U may be used for:

1 A. The following uses, provided a conditional use permit has first been obtained
2 as provided in Part 1 of Chapter 22.56, and while such permit is in full force and
3 effect in conformity with the conditions of such permit for:

4 ...

5 ~~--- Density bonus, subject to the provisions of Section 22.56.202.~~

6 ...

7
8 **SECTION 9.** Section 22.20.360 is hereby added as follows:

9
10 **22.20.360 Uses subject to director's review and approval.**

11 If site plans therefor are first submitted to and approved by the director,
12 premises in Zone R-4-()U may be used for:

13 A. The following uses subject to the same limitations and conditions provided in
14 Section 22.20.090 (Zone R-1):

15 ...

16 -- Density bonus.

17 ...

18
19 **SECTION 10.** Section 22.20.370 is hereby amended as follows:

20
21 **22.20.370 Uses subject to permits.**

22 Property in Zone R-4-()U may be used for:

23 A. The following uses, provided a conditional use permit has first been obtained
24 as provided in Part 1 of Chapter 22.56, and while such permit is in full force and
25 effect in conformity with the conditions of such permit for:

26 ...

27 ~~--- Density bonus, subject to the provisions of Section 22.56.202.~~

1 ...

2 **SECTION 11.** Section 22.20.430 is hereby amended as follows:

3 **22.20.430 Uses subject to director's review and approval.**

4
5 If site plans therefor are first submitted to and approved by the director,
6 premises in Zone R-A may be used for:

7 A. The following uses subject to the same limitations and conditions provided in
8 Section 22.20.090 (Zone R-1):
9

10 ...

11 -- Density bonus.

12 ...

13 **SECTION 12.** Section 22.20.440 is hereby added as follows:

14 **22.20.440 Uses subject to permits.**

15 Property in Zone R-A may be used for:

16
17 A. The following uses, provided a conditional use permit has first been obtained
18 as provided in Part 1 of Chapter 22.56, and while such permit is in full force and
19 effect in conformity with the conditions of such permit for:
20

21 ...

22 ~~—Density bonus, subject to the provisions of Section 22.56.202.~~

23 ...

24
25 **SECTION 13.** Section 22.20.460 is hereby added as follows:

26 **22.20.460 Uses and development standards.**

27 Property in Zone RPD may be used for:

28 ...

1 D. Density Bonuses. Density bonuses, subject to the provisions of Part 17 of
2 Chapter 22.52 and Chapter 22.56.

3 ...
4

5 **SECTION 14.** Section 22.24.090 is hereby amended as follows:

6 **22.24.090 Uses subject to director's review and approval.**

7
8 If site plans therefor are first submitted to and approved by the director,
9 premises in Zone A-1 may be used for:

10 A. The following uses, subject to the same limitations and conditions provided in
11 Section 22.20.090 (Zone R-1):
12

13 ...

14 -- Density bonus.

15 ...
16

17 **SECTION 15.** Section 22.24.100 is hereby amended as follows:

18 **22.24.100 Uses subject to permits.**

19 Property in Zone A-1 may be used for:

20 A. The following uses, provided a conditional use permit has first been obtained
21 as provided in Part 1 of Chapter 22.56, and while such permit is in full force and
22 effect in conformity with the conditions of such permit for:

23 ...
24

25 ~~-- Density bonus, subject to the provisions of Section 22.56.202.~~

26 ...
27

28 **SECTION 16.** Section 22.24.140 is hereby amended as follows:

1 **22.24.140 Uses subject to director's review and approval.**

2 If site plans therefor are first submitted to and approved by the director,
3
4 premises in Zone A-2 may be used for:

5 A. The following uses, subject to the same limitations and conditions provided in
6 Section 22.20.090 (Zone R-1):

7 ...

8 -- Density bonus.

9 ...

10
11 **SECTION 17.** Section 22.24.150 is hereby added as follows:

12 **22.24.150 Uses subject to permits.**

13 Property in Zone A-2 may be used for:

14 A. The following uses, provided a conditional use permit has first been obtained
15 as provided in Part 1 of Chapter 22.56, and while such permit is in full force and
16 effect in conformity with the conditions of such permit for:

17 ...

18
19 ~~---Density bonus, subject to the provisions of Section 22.56.202.~~

20 ...

21
22 **SECTION 18.** Section 22.44.100 is hereby amended as follows:

23 **22.44.100 Development restrictions.** A. Except as otherwise expressly
24 provided within a community standards district, property may be used for any
25 purpose permitted in the basic zone to which this district is added, subject to the
26 same limitations and conditions. Where the regulations of a community
27 standards district differ from any other provisions in this Title 22, with the
28

1 exception of density bonuses pursuant to Part 17 of Chapter 22.52 and Part 18
2 of Chapter 22.56, such regulations shall supersede any contrary provisions as
3 specified in said district.
4

5 ...

6 SECTION 19. Section 22.46.030 is hereby amended as follows:

7 **22.46.030 Administration.**

8 ...
9

10 Where the regulations of a specific plan differ from the provisions of the
11 basic zone, with the exception of density bonuses pursuant to Part 17 of Chapter
12 22.52 and Part 18 of Chapter 22.56, such regulations shall supersede the
13 provisions of the basic zone as specified in the specific plan.
14

15 ...

16 SECTION 20. Section 22.52.104 is hereby amended as follows:

17 **22.52.104 Required area -- For a conditional-use housing permit for a**
18 **density bonus.**

19
20 Requirements established by this Part 2, where a conditional-use housing permit
21 for a density bonus is approved, pursuant to Part 18 of Chapter 22.56, hearing
22 officer, lot area and/or lot area per dwelling unit requirements specified by said
23 permit shall be deemed the required area and/or required area per dwelling unit
24 established for the lot or parcel of land or the lots and parcels of land where
25 approved.
26

27 ...
28

1 SECTION 21. Part 17 of Section 22.52 is hereby added as follows:

2 Part 17

3 AFFORDABLE HOUSING

4
5
6 22.52.1800 Purpose. The purpose of this Part 17 is to increase the supply of affordable
7 housing in the County and satisfy the requirements of Government Code
8 Section 65915 *et seq.*

9 22.52.1810 Applicability. The provisions of this Part 17 shall be applicable to
10 all housing permits filed, pursuant to Part 18 of Chapter 22.56.

11 22.52.1820 Definitions. The following definition applies to Part 17 of Chapter
12 22.52 and Part 18 of Chapter 22.56:

13
14 "Child care facility," means a child day care facility, other than a
15 family day care home, including, but not limited to, infant centers, preschools,
16 extended day care facilities, and school age child care centers, as specified by
17 Section 65915 of the Government Code.

18
19 22.52.1830 Density bonuses. When an applicant for a housing permit
20 proposes to construct a housing development of five or more dwelling units, the
21 following shall apply:

22
23 A. For density bonuses for affordable housing set-asides:

- 24 1. A minimum 20 percent density bonus shall be granted when the
25 applicant for a housing development agrees or proposes to construct
26 at least any one of the following:

- 27 a. 10 percent of the total units for lower income households;
28

1 b. Five percent of the total units of a housing for very low income
2 households;

3 c. A senior citizen housing development.

4
5 2. A minimum five percent density bonus shall be granted when the
6 applicant for a condominium project or planned development agrees or
7 proposes to construct at least 10 percent of the total units of a housing
8 development for moderate income households.

9 3. Calculations.

10 a. If an applicant exceeds the percentages set forth in Subsection
11 A above, the applicant shall be entitled to an additional density
12 bonus calculated as follows:

13 i. For each one percent increase above the 10 percent of
14 the percentage of units affordable to lower income
15 households, the density bonus shall be increased by one
16 and a half percent, up to a maximum of 35 percent.

17 ii. For each one percent increase above the five percent of
18 the percentage of units affordable to very low income
19 households, the density bonus shall be increased by two
20 and a half percent, up to a maximum of 35 percent.

21 iii. For each one percent increase above the 10 percent of
22 the percentage of units affordable to moderate income
23 households, the density bonus shall be increased by one
24 percent, up to a maximum of 35 percent.
25
26
27
28

- 1 b. All density and housing set-aside calculations resulting in
2 fractional units shall be rounded up to the next whole number.
- 3 c. The density bonus shall not be included when calculating the
4 percentage of units to be set aside for very low, lower and
5 moderate income households.
6
- 7 d. For the purpose of calculating a density bonus, the residential
8 units do not have to be based upon individual subdivision maps
9 or parcels.
- 10 e. The density bonus units shall be permitted in geographic areas
11 of the housing development other than the areas where the units
12 for very low, lower and moderate income households are
13 located.
14
- 15 f. In cases where a density bonus of less than 20 percent for units
16 set aside for very low and lower income households or a senior
17 housing development, or a density bonus of less than five
18 percent for units set aside for moderate-income households, is
19 requested, no reduction will be allowed in the number of required
20 set-aside units.
21
- 22 g. In cases where a density bonus of more than 35 percent is
23 requested, if granted, it shall be considered a concession or
24 incentive, as outlined in Section 22.52.1840.
25
- 26 h. In cases where more than one qualifying level of income is
27 included in the project, only one density bonus corresponding to
28

one qualifying level of income shall apply.

4. Continuing affordability.

a. For the units set aside for very low and lower income

households an applicant shall agree to, and the County shall

ensure the continued affordability for 30 years, or a longer period

of time if required by the construction or mortgage financing

assistance program, mortgage insurance program, or rental

subsidy program.

b. For units set aside for moderate-income households:

i. An applicant shall agree to, and the County shall ensure,

that the initial occupant of all moderate-income units that

are directly related to the receipt of the density bonus in a

condominium project or planned development are persons

and families of moderate-income.

ii. Upon resale, the seller of the unit shall retain the value of

any improvements, the downpayment, and the seller's

proportionate share of appreciation, as determined by the

director, or other designee.

iii. The County shall recapture its proportionate share of

appreciation, as determined by the director or other

designee, which shall be used as required by Government

Code Section 65915. The County's share shall be equal to

the percentage by which the initial sales price of the

1 moderate-income dwelling units was less than the fair
2 market value of the dwelling units at the time of initial sale.

- 3 c. Affordability shall be ensured by requiring that the applicant
4 enter into a covenant and agreement, pursuant to Section
5 22.56.2680, which shall be approved by the director and
6 county counsel, and shall be recorded and run with the land.
7

8 B. Density bonuses for the donation of land. A 15 percent density bonus shall
9 be granted when an applicant for a tentative subdivision map, parcel map, or
10 other residential development donates land to the County that meets the
11 requirements of this Subsection:
12

- 13 1. The following conditions for land donations must be met:

- 14 a. The developable acreage and general plan designation of the
15 land is sufficient to permit the construction of dwelling units,
16 affordable to very low income households, in an amount not
17 less than 10 percent of the number of residential units of the
18 proposed development;
19
20 b. The land is donated and transferred no later than the
21 date of approval of the final subdivision map, parcel map, or
22 residential development application to the County, or to a
23 housing developer approved by the director, or other
24 designee, and by this time the transferred land has all permits
25 and approvals, other than building permits, necessary for the
26 development of housing for very low income households;
27
28

- c. The zoning classification and general plan designation of the land being transferred is appropriate for affordable housing and the land is or will be served by adequate public facilities and infrastructure;
- d. The transferred land is at least one acre in size or of sufficient size to permit the development of at least 40 units;
- e. The transferred land has the appropriate zoning and development standards to make the development of units set aside for very low, lower or moderate-income households economically feasible; and
- f. The transferred land is within the boundary of the proposed development, or within one-quarter of a mile of the boundary of the proposed development, and within the unincorporated area of Los Angeles County.

2. Calculations.

- a. If an applicant exceeds the percentages set forth in Subsection A above the applicant shall be entitled to an additional density bonus, calculated as follows:
 - i. For each one percent increase above the minimum 10 percent land donation, the density bonus of 15 percent shall be increased by one percent, up to a maximum of 35 percent.
- b. An applicant can combine density bonuses provided in

1 Subsection A above, with the density bonus for land donations
2 described in this Subsection B; however, the combined
3 density bonus cannot exceed 35 percent.

- 4 c. All density and housing set-aside calculations resulting in
5 fractional units shall be rounded up to the next whole number.
6
7 The density bonus shall not be included when determining the
8 number of housing units.

- 9
10 3. Nothing in this subsection shall be construed to enlarge or diminish the
11 authority of the County to require a developer to donate land as a
12 condition of development.

13 C. Additional density bonus or concession or incentive for housing
14 developments with a child care facility. When an applicant proposes to construct
15 a housing development that conforms to the requirements of Subsection A
16 above and includes a child care facility that will be located on the premises of, as
17 part of, or adjacent to the project, the following shall apply:

- 18
19 1. Either of the following shall be granted, unless a finding is made
20 in accordance with Subsection C.3 below:

- 21 a. An additional density bonus that is an amount of square feet of
22 residential space that is equal to or greater than the amount of
23 square feet in the child care facility; or
24
25 b. An additional concession or incentive that contributes
26 significantly to the economic feasibility of the construction of the
27 child care facility.
28

1 2. The following, which shall be included in the covenant and agreement,
2 shall be required as a condition of approving the housing development:

3 a. The child care facility shall remain in operation for a period of
4 time that is as long as or longer than the period of time during
5 which the density bonus units are required to remain affordable
6 pursuant to Subsection A.4 above; and

7 b. Of the children who attend the child care facility, the children of
8 very low income households, lower income households, or
9 families of moderate income shall equal a percentage that is
10 equal to or greater than the percentage of dwelling units that
11 are required for very low income households, lower income
12 households, or families of moderate income pursuant to
13 Subsection A.2 above.

14 3. A density bonus or concession or incentive for a child care facility
15 should not be required if the director finds, based upon substantial
16 evidence, that the community has adequate child care facilities.

17 **22.52.1840 Concessions and incentives.**

18 A. List of possible concessions or incentives. Concessions or incentives may
19 include, but are not limited to, any of the following:

20 1. A reduction of site development standards, a modification of zoning
21 code requirements, or architectural design requirements that exceed
22 the minimum building standards provided in Part 2.5 of Division 13 of
23 the California Health and Safety Code. These may include, but are
24 the California Health and Safety Code. These may include, but are
25 the California Health and Safety Code. These may include, but are
26 the California Health and Safety Code. These may include, but are
27 the California Health and Safety Code. These may include, but are
28 the California Health and Safety Code. These may include, but are

not limited to, the following:

- a. Reduced minimum lot sizes and/or dimensions.
 - b. Reduced yards and setbacks.
 - c. Reduced minimum outdoor and/or private outdoor living area.
 - d. Increased maximum lot coverage.
 - e. Increased maximum building height and/or stories.
 - f. Reduced and/or modified on-site parking standards, including the number or size of spaces and garage requirements.
 - g. A waiver for or modification to the placement of public works improvements.
2. Approval of mixed use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located; or
 3. A density bonus for affordable housing greater than those outlined in Section 22.52.1830.
 4. Other regulatory concessions or incentives proposed by the applicant or the County that result in identifiable, financially sufficient, and actual

1 cost reductions.

2 B. Density bonuses.

3 1. Number of concessions or incentives. The County shall grant one to
4 three concessions or incentives entitled to and requested by the applicant
5 unless it makes a written finding, based upon substantial evidence, that:
6

7 a. The concession or incentive is not required in order to
8 provide for affordable housing costs for lower,
9 very low and moderate income units, respectively.
10

11 b. The concession or incentive would have a specific adverse
12 impact upon the public health and safety or the physical
13 environment or on any real property that is listed in the
14 California Register of Historical Resources and for which
15 there is no feasible method to satisfactorily mitigate or avoid
16 the specific adverse impact without rendering the
17 development unaffordable to low and moderate-income
18 households.
19

20 2. An applicant may submit to the Department of Regional Planning a
21 proposal and/or request a meeting to discuss the specific
22 concessions or incentives that the applicant requests pursuant to
23 this Subsection.
24

25 3. This Subsection does not limit or require the provision of direct
26 financial incentives for the housing development, including the
27 provision of publicly owned land, by the County, or the waiver of
28

1 fees or dedication requirements.

2
3 **22.52.1850 Development Standards**

4 **A. Density bonuses.**

- 5 1. The County shall not apply any development standard that will
6 preclude the construction of a development meeting the criteria of
7 Subsection A of Section 22.52.1830 above at the densities or with
8 the concessions or incentives permitted by this Part 17.

9
10 a. Waiver or modification of development standards.

- 11 i. The applicant may submit a proposal to the County
12 for the waiver or reduction of development
13 standards, and may request a meeting with the
14 County.
15
16 ii. The applicant shall demonstrate, by providing a
17 written statement and supporting financial
18 information, to the satisfaction of the director, that
19 the waiver or modification is necessary to make the
20 affordable housing units economically feasible.
21
22 iii. Nothing in this Subsection shall be interpreted to
23 require the County to waive or reduce development
24 standards if the waiver or reduction would have a
25 specific, adverse impact upon the health, safety, or
26 the physical environment, and for which there is no
27 feasible method to satisfactorily mitigate or avoid
28

1 the specific adverse impact.

- 2 iv. Nothing in this Section shall be interpreted to
3 require the County to waive or reduce
4 development standards that would have an
5 adverse impact on any real property that is listed
6 in the California Register of Historical Resources.
7

8 2. Parking standards. The following shall apply to an entire housing
9 development that meets the qualifications of Subsection A of Section
10 22.52.1830:
11

- 12 a. If requested in a housing permit, to exceed the vehicular
13 parking ratios described below, inclusive of disabled and
14 guest parking, shall not exceed the following:
15
16 i. Zero to one bedroom: one onsite parking space.
17 ii. Two to three bedrooms: two onsite parking spaces.
18 iii. Four or more bedrooms: two and one-half parking
19 spaces.
20
21 b. All parking calculations for the housing development resulting
22 in a fraction shall be rounded up to the next whole number.
23
24 c. Parking may be provided by tandem parking or uncovered
25 parking, but not onstreet parking.
26
27 d. An applicant may request additional parking concessions or
28 incentives beyond those provided in this Subsection, pursuant
to Section 22.52.1830.

1 SECTION 22. Section 22.56.202 is hereby deleted in its entirety.

2 SECTION 23. Part 18 of Chapter 22.56 is hereby added as follows:

3 Part 18

4 HOUSING PERMITS

5
6
7 22.56.2600 Purpose. The housing permit is established to recognize that
8 affordable housing is essential to the vitality and quality of life in the County of
9 Los Angeles. The intent of the housing permit is to facilitate an increase in the
10 supply of affordable housing by simplifying the development process to
11 implement the provisions of Part 17 of Chapter 22.52 relating to affordable
12 housing.
13

14 22.56.2610 Application – Filing. Any person desiring to obtain a permit
15 required by this Part 18 shall file a written application with the director.
16

17 22.56.2620 Application – Contents.

18 A. Density bonuses.

- 19 1. An application for a housing permit shall contain the following
20 information:

- 21
22 a. Real estate development pro forma, satisfactory to the director.
23 b. Supplemental forms, as may be required.
24 c. Environmental documentation, as may be required.

25 B. The director shall waive items or require more items, if necessary.
26
27
28

1 **22.56.2630 Application – Fee and deposit.** When an application is filed, it
2 shall be accompanied by the filing fee for a housing permit as required in Section
3 22.60.100.
4

5 **22.56.2640 Notification requirements.**

6 The director shall notify the applicant of a request for a housing permit of the
7 action taken on the application, by first class mail, postage prepaid, or other
8 means deemed appropriate by the commission. Such notification may also be
9 hand delivered to the applicant when appropriate.
10

11 **22.56.2650 Housing permit -- Expiration where not used.**

12 An approved housing permit that is not used within the time specified in the
13 approval, or if no time is specified, within two years after the granting of such
14 approval, becomes null and void and of no effect, except that where an
15 application requesting an extension is filed prior to such expiration date, the
16 director may extend such time for a period of not to exceed one year.
17
18

19 **22.56.2660 Appeal procedure.**

20 An appeal may be made by the applicant in the event that he or she is
21 dissatisfied with the action taken by the director on a housing permit. Such
22 appeal shall be filed with the commission within 10 days following notification.
23

24 The decision of the commission shall be final.

25 **22.56.2670 Director's findings and determination.**

26 **A. Density bonuses.**

- 27
28 1. The director shall approve a request for a density bonus, incentive

1 or concession, and/or waiver or modification of development
2 standard in all cases, except where:

3 a. For concessions and incentives,

- 4 i. The concession or incentive/waiver of development
5 standard is not required in order to provide for affordable
6 housing costs or for rents for the affordable units, or;
7
8 ii. The incentive or concession would have a specific
9 adverse impact upon public health and safety or the
10 physical environment or on any real property that is listed
11 in the California Register of Historical Resources, and for
12 which there is no feasible method to satisfactorily mitigate
13 or avoid the specific adverse impact without rendering the
14 development unaffordable to low and moderate-income
15 households.
16

17 b. For the waiver and/or modification of development standards,

- 18 i. The waiver or modification of the development standard
19 is not required in order to provide for affordable housing
20 costs or for rents for the affordable units, or;
21
22 ii. The waiver or modification of the development
23 standard would have a specific adverse impact upon
24 public health and safety or the physical environment or on
25 any real property that is listed in the California Register of
26 Historical Resources, and for which there is no feasible
27
28

1 method to satisfactorily mitigate or avoid the specific
2 adverse impact without rendering the development
3 unaffordable to low and moderate-income
4 households.
5

6 c. For an additional density bonus or concession or incentive for
7 the provision of a child care facility,

8 i. The additional density bonus or concession or incentive
9 for a child care facility does not significantly contribute to
10 the economic feasibility of the construction of the child
11 care facility.
12

13 ii. The additional concession or incentive would have a
14 specific adverse impact upon public health and safety or
15 the physical environment or on any real property that is
16 listed in the California Register of Historical Resources,
17 and for which there is no feasible method to satisfactorily
18 mitigate or avoid the specific adverse impact without
19 rendering the development unaffordable to low and
20 moderate-income households.
21

22 iii. The community has adequate child care facilities.
23

24 2. In all cases where the director denies a request for a density bonus,
25 incentive or concession, or the waiver or modification of development
26 standard, based on substantial evidence, the director shall inform the
27 applicant in writing of such action.
28

1 22.56.2680 Covenant and agreement. A draft agreement suitable for
2 recordation in the office of the county recorder, as a covenant running with the
3 land for the benefit of the county of Los Angeles, will be continuously available
4 as provided by this Subsection. In lieu of such covenant and agreement, the
5 applicant may furnish a different mechanism subject to review by and the prior
6 approval of the county counsel.
7

8 A. Affordable housing.

9 1. The covenant and agreement for affordable housing shall include at
10 least the following:
11

- 12 a. The total number of units approved for the residential
13 development, including the number of units set-aside for very
14 low, lower or moderate income households.
- 15 b. A description of the household income group to be
16 accommodated by the residential development, and the
17 standards for determining the corresponding affordable rent or
18 affordable sales price and housing cost.
- 19 c. The location, unit sizes (sq. ft.), and number of bedrooms of the
20 units set-aside for very low, lower or moderate income
21 households.
22
- 23 d. A schedule for completion and occupancy of the units set aside
24 for very low, lower or moderate income households.
- 25 e. A description of the incentives and/or concessions, if any, to be
26 provided by the County.
27
28

1 f. A description of remedies for breach of agreement by either party
2 (the County may identify tenants or qualified purchasers as third
3 party beneficiaries under the agreement.)

4 g. Other provisions to ensure implementation in compliance with
5 Part 17 if Chapter 22.52 and this Part 18.
6

7 2. Density bonus. Applicants requesting a density bonus shall (draft and) agree
8 to enter into a covenant and agreement with the County.

9 a. In the case of housing developments that set aside units for
10 very low or lower income households, the covenant and
11 agreement shall provide for the following conditions governing
12 the use of those units for 30 or more years, pursuant to
13 Subsection A.4:
14

15 i. The rules and procedures for qualifying tenants, establishing
16 affordable rent, filling vacancies, and maintaining units set
17 aside for very low and lower income households for qualified
18 tenants;
19

20 ii. Provisions requiring owners to verify tenant incomes and
21 maintain books and records to demonstrate compliance with
22 the Housing Permit (or Part 17 of Chapter 22.52 and this
23 Part 18).
24

25 iii. Provisions requiring owners to submit an annual report to
26 the County, which includes the name, address, and income
27 of each person occupying the affordable units, and which
28

1 identifies the bedroom sizes and monthly rent or cost of
2 each unit set aside for very low and lower income
3 households.

4
5 b. In the case of a condominium project or planned development
6 that sets aside units for moderate income households, the
7 covenant and agreement shall provide for the following
8 conditions governing the initial sale and use of the moderate
9 income units during the applicable use restriction period:

- 10
11 i. The rules and procedures for qualifying buyers and
12 establishing affordable sale price;
13
14 ii. Provisions requiring sellers to verify the income of the
15 initial occupant to demonstrate compliance with this the
16 housing permit (or Part 17 of Chapter 22.52 and this Part 18).

17 c. In the case of housing developments that set aside units for very
18 low, lower or moderate-income households, and include a child
19 care facility, the covenant and agreement shall provide for the
20 conditions described in Subsection 1 and 2, and the following
21 conditions governing the use of the child care facility during the
22 use restriction period:

- 23
24 i. The minimum amount of time in which a child care facility
25 must remain in operation.
26
27 ii. The minimum required percentage of children of very low,
28 lower or moderate income households who attend the

childcare facility.

iii. The rules and procedures for qualifying children of tenants, filling vacancies, and maintaining a percentage of use by qualified tenants;

iv. Provisions requiring owners to verify tenant incomes and maintain books and records to demonstrate compliance with this the Housing Permit (or Part 17 of Chapter 22.52 and this Part 18).

v. Provisions requiring owners to submit an annual report to the County, which includes the name, address, and income of the child's household attending the child care facility:

C. Termination of covenant and agreement. Under certain circumstances, the covenant and agreement may be terminated at the discretion of the director after making written findings as to the need for releasing the covenant and/or agreement.

SECTION 24. Section 22.60.100 is hereby amended as follows:

22.60.100 Filing fees and deposits*

A. For the purpose of defraying the expense involved in connection with any application or petition required or authorized by this Title 22, the following fees shall accompany the application or petition:

...

~~Conditional Use Permits for Density Bonuses \$1,913.00.~~

...

1 — Housing Permit — \$1270

2 ...

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Appendix K

Affordable Housing Density Bonuses – Interim Guidelines



Los Angeles County
Department of Regional Planning

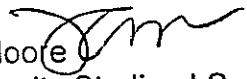
Planning for the Challenges Ahead



James E. Hartl, AICP
Director of Planning

June 2, 2005

TO: Sorin Alexanian, LDCC
John Gutwein, Field Offices
Ellen Fitzgerald, Land Divisions
Russ Fricano, Zoning Permits I
Paul McCarthy, Zoning Permits II
Daryl Koutnik, Impact Analysis

FROM: Julie Moore 
Community Studies I Section

SUBJECT: AFFORDABLE HOUSING DENSITY BONUSES
INTERIM GUIDELINES

In March, we provided you with a copy of the State density bonus law (Section 65915 et seq. of the CA Government Code, as amended by the passage last year of SB 1818), which includes significant changes that became effective on January 1, 2005. This memo provides guidelines regarding affordable housing density bonuses and incentives/concessions that should be implemented immediately and in conjunction with the attached special instructions and supplemental application forms. The guidelines and attached materials were developed to assist you in implementing the provisions of the State density bonus law, as well as the applicable provisions of Section 22.56.202 (Density Bonuses) of the Los Angeles County Zoning Code that were not superseded or modified by the provisions of SB 1818.

On January 26, 2005, the Regional Planning Commission instructed the staff to commence the preparation of an ordinance amending the appropriate sections of the County Code in a manner that is consistent with the changes to the State density bonus law. We have worked with County Counsel to develop these interim guidelines and special instructions, which will guide you in implementing the changes to the State law while the ordinance amendment is being prepared. We have also developed two affordable housing density bonus supplemental application forms that should be provided to applicants—"Form A: Affordable Housing Set-Asides" and "Form B: Land Donations," along with instructions regarding their use.

The following guidelines and procedures should be implemented, effective immediately, to ensure conformance with the State density bonus law:

Non-discretionary review: A significant change to note is that a conditional use permit (CUP) is no longer required to obtain density bonuses for qualifying affordable housing developments (including senior housing, child care facilities, and land donations), or for incentives/concessions necessary for affordable housing development. The State law is clear that the granting of a density bonus, or incentive/concession, shall not be interpreted, *in and of itself*, to require a general plan amendment, local coastal plan amendment, zoning change, CUP, or other discretionary approval. Therefore, during the interim, in such cases a site plan review is the appropriate administrative review procedure.

Concurrent case processing: If the affordable housing development also requires a discretionary review (i.e., coastal permit, tentative subdivision map, parcel map, zone change, CUP to allow residential uses on commercially zoned areas or within a development program zone), the requested density bonuses and incentives/concessions should be processed through an administrative site plan review that is considered concurrently with those applications, and the density bonus should be applied to the density allowed by the zoning proposed at the time of application. The supplemental application forms are to be used in conjunction with the application for a site plan review in order to consider the density bonuses and incentives/concessions through a non-discretionary review.

Incentives/concessions: The State law defines incentives/concessions broadly, and can include anything from a set-back reduction to a density bonus over 35%. We advise you to be generous in your interpretation of these provisions and to group incentives/concessions, where appropriate (such as parking design and quantity standards which together should count as one incentive/concession, as these requirements are covered under the same part of the Zoning Code), in order to maximize the incentives/concessions for affordable housing development. In denying requests for density bonuses, incentives/concessions, and waiver of development standards, the applicant has the presumption of validity, and the County has the burden of proof to justify the denial by making written findings, based on substantial evidence.

Expedited case processing: It is the Department's practice to provide expeditious case processing for affordable housing development applications. Affordable housing development cases should be red-flagged or provided with special identification to ensure that they are expedited. The expeditious processing of the case should not be counted as one of the applicant's specific incentives/concessions.

Fee waivers: It is also the Department's practice to accept qualified affordable housing development applications at the public counter without the required fee upon receipt of either a letter from the Community Development Commission (CDC) requesting a fee exemption (per the agreement between the CDC and DRP for

actual cost recovery), or by evidence of a Board-approved fee-waiver for the affordable housing development. Fee exemptions and fee waivers should not be counted as one of the applicant's specific incentives/concessions.

Parking reduction: The parking requirements for affordable housing developments shall not exceed the maximum residential parking requirements specified in CA Government Code Section 65915(p)(1), or in Part 11 of Chapter 22.52 of the County Code—whichever is lesser of the two. The application of these parking standards should not be counted as one of the applicant's specific incentives/concessions.

Environmental review:

Initial Study: Applicants requesting a density bonus and incentives/concessions for affordable housing should provide a completed Initial Study questionnaire, in addition to the site plan review application and the appropriate affordable housing density bonus supplemental application forms. There are potential development sites within the unincorporated area that may be environmentally unsuitable for housing at increased densities and there are circumstances in which CEQA review is necessary to determine the site's suitability for more intensive development and to consider potential mitigation measures for the reasonably foreseeable environmental impacts that may result from the proposed development. Recent DRP planning efforts have focused on areas that are known to be environmentally constrained, such as the Santa Monica Mountains North Area and the adjacent Coastal Area, where sites proposed for future development consistently demonstrate physical constraints, including concerns regarding high fire hazard severity, water availability, limited access, infrastructure availability, geologic/geotechnical concerns, highly sloping terrain, and biological/ecological resources. In addition, these sites may be within one or more of our special management areas, such as hillside management areas, significant ecological areas (SEAs), and environmentally sensitive habitat areas (ESHAs), which limit their environmental suitability for intensive development.

Categorical and statutory exemptions for affordable housing: Affordable housing developments may qualify for either statutory exemptions or categorical exemptions from the California Environmental Quality Act (CEQA). Qualified housing projects (including affordable housing, infill housing, and farm worker housing) are exempt from CEQA, pursuant to Sections 21159.21, 21159.22, 21159.23, and 21159.24 of the CA Public Resources Code (PRC). Additional information on affordable housing CEQA exemptions is provided in the State CEQA Guidelines, Chapter 3, Title 14, CA Code of Regulations (CCR), at Sections 15279-15280 (Regarding Statutory Exemptions for Farm Worker Housing and Affordable Housing) of, and in Section 15332 (Class 32 Categorical Exemptions for Infill

Interim Guidelines—Density Bonus
June 2, 2005
Page 4 of 4

Development Projects). Please consult these sections of the PRC and CCR when evaluating applications for potential CEQA exemptions.

These interim guidelines are in effect until such time that an amendment to the Zoning Ordinance regarding affordable housing density bonuses is adopted by the Board of Supervisors and becomes effective.

Should you have any questions, please contact me or Connie Chung at (213) 974-6425 or cchung@planning.co.la.ca.us.

JTM:cc

cc: Ron Hoffman, Frank Meneses, John Calas, Ted Elias

Attachments:

1. Special Instructions for Affordable Housing Density Bonuses
2. Affordable Housing Density Bonus Application Supplement—Form A: Affordable Housing Set-Asides
3. Affordable Housing Density Bonus Application Supplement—Form B: Land Donations

Department of Regional Planning, County of Los Angeles

SPECIAL INSTRUCTIONS FOR AFFORDABLE HOUSING DENSITY BONUSES

APPLICATION FILING MATERIALS NEEDED:

1. Standard Application (One or more of the following: Plot Plan Review, Zone Change, Tract Map, Parcel Map, Conditional Use Permit, Coastal Permit)
2. Affordable Housing Density Bonus Supplemental Application Form (Form A: Affordable Housing Set-Asides or Form B: Land Donations)
3. Financial information, preferably an electronic copy of the real estate development pro-forma (MS Excel file)
4. Initial Study form
5. Fees, as appropriate

PERMITTED ZONES

R-1, R-2, R-3, R-4, R-A, RPD*, A-1, A-2, C-1*, C-2*, C-3*, C-M*, C-R*, CPD*

*Residential uses authorized through a conditional use permit.

CRITERIA

Density Bonus: A proposed housing development and residential mixed use development qualifies for a density bonus if the following criteria are met:

- If the applicant requests a density bonus. *Gov. Code 65915 (a) & (b)*
- If the proposed housing development is 5 or more units. *Gov. Code 65915 (g)(1)(2)*
- If the housing development has the minimum set-aside for the following categories:
Gov. Code 65915 (b)(1)(2)(3)(4), (g) (1)(2) & (h)

	Housing Set-Aside	Density Bonus
Very Low	At least 5%	At least 20%, up to 35%
Lower	At least 10%	At least 20%, up to 35%
Moderate (condominium or planned development)	At least 10%	At least 5%, up to 35%
Land Donation (Very Low)	At least 10%	At least 15%, up to 35%
Senior Housing Development	Per CA Civil Code 51.12 & 51.3	20%

* An applicant can opt for a lower density bonus. *Gov. Code 65915 (g)(1)*

Incentives and Concessions: When an applicant seeks an affordable housing density bonus, the County must grant incentives or concessions for the production of housing and child care facilities. *Gov. Code 65915 (d)(1)*

- Depending on the percentage of housing set-asides and the level of income served, applicants may be entitled to 1-3 incentives/concessions. *Gov. Code 65915 (d)(2)(A)(B)(C)*
- Incentives/concessions include, but are not limited to, the following: *LA County Code 22.56.202 and Gov. Code 65915 (l)(1)(2)(3) & (p)(1)(3)*

Modification of development standards such as, but not limited to, a reduction in setbacks, height limits, lot coverage.

A vehicular parking reduction below the following ratio (inclusive of disabled and guest parking):
0-1 bed: 1 onsite parking space
2-3 bed: 2 onsite parking spaces
4 or more bed: 2.5 parking spaces

Approval of a mixed use development, in accordance with Part 11 of Chapter 22.40, in conjunction with the development if the commercial, office, industrial, or other proposed land uses will reduce the cost of the housing and if the findings specified by Section 22.56.090 are met.

An additional density bonus.

- Requests for incentives/concessions can be denied for the following reasons:

The requested incentive/concession is not required in order to provide for affordable housing costs or for rents for the targeted units.
Gov. Code 65915 (d)(1)(A)

The requested incentive/concession has a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate-income households. *Gov. Code 65915 (d)(1)(B)*

Waiver/Modification of Development Standards: An applicant can request a waiver or modification of development standards, provided he/she can show that the waivers or modifications are necessary in order to make the provision of affordable units economically feasible.

Requests for the waiver or modification of development standards can be denied for the same reasons as incentives/concessions. Please see above for details. Gov. Code 65915 (e) & (f)

Land Donations: An applicant for a tentative subdivision map, parcel map or residential development approval is entitled to a density bonus for a land donation. Land donations must be able to accommodate at least 10% of the units of the proposed housing development, for very low income households. The land donation can be combined with the inclusion of affordable housing set-asides, as long as the combined density bonus does not exceed 35%. Gov. Code 65915 (h)

Child Care Facilities: If the project includes a child care facility, the applicant is entitled to an additional density bonus in the amount equivalent to or more than the square footage of the child care facility OR an additional incentive or concession that contributes to the economic feasibility of the construction of the child care facility. The additional density bonus or concession/incentive will only be granted if there is a need for a child care facility in the community. Gov. Code 65915 (i)(1)(A)(B)

Parking: Upon the request of the applicant, if a project qualifies for a density bonus and incentives and concessions, a vehicular parking ratio, inclusive of disabled and guest parking, shall not exceed the following:

0-1 bed: 1 onsite parking space
2-3 bed: 2 onsite parking spaces
4 or more bed: 2.5 parking spaces

A development may provide onsite parking through tandem parking or uncovered parking, but not through onstreet parking. Gov. Code 65915 (p)(1)(2)

CALCULATIONS

All density calculations resulting in fractional units shall be rounded up to the next whole number. This shall include density bonus, affordable housing set-aside and parking calculations. Refer to the attached Tables A, B, C and D for corresponding affordable housing set-asides, density bonuses and incentives/concessions. Gov. Code 65915 (g)(1)(2),(h),(p)(2)

Example 1: An applicant requests a density bonus.

Zoning: R-3

Maximum allowable density: 30 du/ net acre Site area: 3 net acres
Total units proposed (not including density bonus): $[30 \times 3 \text{ net acres}]$ 90 units

Applicant chooses 11% housing set-aside for lower income households, or $[11\% \times 90 \text{ units}=9.9]$ 10 units.
Density Bonus (refer to density bonus tables): 21.5%, or $[21.5\% \times 90 \text{ units}=19.35]$ 20 units.

Total units: $[90 \text{ units} + 20 \text{ density bonus units}]$ 110 units Total affordable units: 10 out of 110

Example 2: An applicant seeks an affordable housing density bonus and a lot consolidation density bonus in a Green Line Transit-Oriented District.

Zoning: R-2

Maximum allowable density: 17 du/ net acre Site area: 3 net acres
Total units proposed (not including density bonus): $[17 \times 3 \text{ net acres}]$ 51 units

For the affordable housing density bonus, the applicant sets aside 9% of the units for very low income households, or $[90\% \times 9\% = 8.1]$ 9 units.
Density Bonus (refer to density bonus tables): 30%, or $[30\% \times 51 \text{ units}=15.3]$ 16 units

For the lot consolidation density bonus, the applicant consolidates lots with a combined total of 15,000 sq. ft. Pursuant to Section 22.44.450 of the LA County Code, the applicant is entitled to a 10% density bonus: $[10\% \times 51 \text{ units}=5.1]$ 6 units

Total units: $[51 \text{ units} + 16 \text{ affordable housing density bonus units} + 6 \text{ lot consolidation density bonus units}]$ 73 units
Total affordable units: 16 out of 73 units

PROCEDURAL GUIDELINES

- ☐ The applicant may request a meeting with staff to discuss options for incentives/concessions and/or the waiver or modification of development standards. Gov. Code 65915 (d)(1) & (e)
- ☐ Applicant submits application(s) to DRP with the appropriate fees.
- ☐ Staff checks application(s):
 - Verifies calculations for density bonuses, housing set-asides and number of entitled incentives/concessions.

- If applicable, checks the square footage calculation for the child care facility.
- If applicable, checks to see that the land donation meets all specified conditions.

☐ Staff reviews application(s):

- Evaluates requested incentives/concessions based on financial feasibility and any specific impact upon the public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate income households. In addition, if applicable, staff evaluates whether or not the additional incentive/concession for a child care facility significantly contributes to the economic feasibility of the construction of the child care facility. *Gov. Code 65915 (d)(1)(A)(B) & (i)(3)*
- Evaluates requested waiver/modification of development standards, using the information provided by the applicant, based on financial feasibility and any specific impact upon the public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate income households. *Gov. Code 65915 (e) & (f)*
- If applicable, evaluates a need in the community for a child care facility. *Gov. Code 65915 (i)(3)*

☐ Staff action: the applicant is notified.

If approved, the applicant must sign a covenant and agreement with the Department of Regional Planning that states that the DRP, or its designee, will monitor the specified affordability of units set aside for affordable housing, and if applicable, the period of operation and dedicated use of the child care facility. *Gov. Code 65915 (c)(1)(2) & (i)(2)(A)(B)*

If the applicant donates land and seeks density bonuses, the land must be transferred to the LA County Community Development Commission no later than the date of approval of the final subdivision map, parcel map, or residential development application. The transferred land and affordable units shall be subject to a deed restriction ensuring continued affordability of the units, which shall be recorded on the property at the time of dedication. *Gov. Code 65915 (h)(1)(4)*

If denied, staff provides the applicant with the following findings, based on substantial evidence:

- *Incentive/concession or waiver/modification of development standard:* That the incentive/concession or waiver/modification of development standard is not required in order to provide for affordable housing costs or for rents for the affordable units, or that the incentive/concession would have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate-income households. *Gov. Code 65915 (d)(1)(A)(B)*
- *Additional child care facility density bonus or incentive/concession:* Staff provides written findings, based on substantial evidence, that the community has adequate child care facilities. Staff must also provide written findings, based on substantial evidence, that the additional incentive/concession does not contribute to the economic feasibility of the construction of the child care facility, or that the incentive/concession would have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate-income households. *Gov. Code 65915 (d)(1)(B) & (i)(1)(B)(3)*

CONDITIONS FOR APPROVAL

The following are conditions for approval for density bonuses and incentives/concessions, and if applicable, will be included in a covenant and agreement between the property owner/applicant and the Los Angeles County Department of Regional Planning:

- Low income density bonus units (Very Low and Lower Income) are to remain affordable for 30 years or a longer period of time if required by a construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program. *Gov. Code 65915 (c)(1)*
- The initial occupants of affordable for-sale units must be verified as being of moderate income. Upon resale, the project requires equity-sharing with the County. *Gov. Code 65915 (c)(2)*
- A child care facility must remain in operation for a period of time that is as long as or longer than the period of time during which the density bonus units are required to remain affordable. *Gov. Code 65915 (i)(2)(A)*
- The percentage of children of very low, lower and moderate income households that attend the child care facility shall equal a percentage that is equal to or greater than the percentage of dwelling units that are required for very low, lower and moderate

income households. Gov. Code 65915 (i)(2)(B)

- Donated land will be transferred to the Los Angeles County Community Development Commission and deed-restricted for affordable housing, and must meet all conditions (see *Form B: Land Donations*) before the final approval of the final subdivision map, parcel map or proposed residential development. Gov. Code 65915 (h)(1)(3)(4)(5)

ENVIRONMENTAL REVIEW

A project may qualify for a categorical exemption under State CEQA guidelines Section 15332 (Infill Development Projects) if it meets the criteria set out in that section and is not subject to any of the exceptions established under Section 15300.2. Public Resources Code Section 21159.21, 21159.22, 21159.23 and 21159.24 provide qualified, statutory exemptions for specified housing projects. These exemptions would not apply if there is a "reasonable possibility that the project will have a project-specific, significant effect on the environment due to usual circumstances."

DEFINITIONS

"Child Care Facility" means a child day care facility other than a family day care home, including, but not limited to, infant centers, preschools, extended day care facilities, and school age childcare centers. Gov. Code 65915 (i)(2)(4)

"Density Bonus" means a density increase of at least 20 percent, unless a lesser percentage is elected by the applicant, over the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan as of the date of application by the applicant to the County. Gov. Code 65915 (g)(1)

The density bonus shall be permitted in geographic areas of the housing development other than the areas where the units for the lower income households are located. Gov. Code 65915 (j)

For the purpose of calculating the density bonus, the residential units do not have to be based upon individual subdivision maps or parcels. Gov. Code 65915 (j)

"Development Standards" includes site or construction conditions that apply to a residential development pursuant to any ordinance, general plan element, specific plan, charter amendment, or other local condition, law, policy, resolution, or regulation. Gov. Code 65915 (o)(1)

"Housing Development" means one or more groups of projects for residential units constructed in the planned development of the County. A housing development also includes a subdivision or a planned unit development or condominium project approved by the County and consists of residential units or unimproved residential lots, and either a project to substantially rehabilitate and convert an existing commercial building to residential use or the substantial rehabilitation of an existing multifamily dwelling where the result of the rehabilitation would be a net increase in available units. Gov. Code 65915 (j)

"Incentives/Concessions" means any of the following: Gov. Code 65915 (l)(1)(2)(3)

- A reduction in site development standards or a modification of zoning code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code, including, but not limited to, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required that results in identifiable, financially sufficient, and actual cost reductions.
- Approval of mixed use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located.
- Other regulatory incentives or concessions proposed by the developer or the County that result in identifiable, financially sufficient, and actual cost reductions.

"Senior Housing Development" means a residential development developed, substantially rehabilitated, or substantially renovated for, senior citizens that has at least 35 dwelling units. Civil Code 51.3 & 51.12

TABLE A

Density Bonuses and Incentives/Concessions for
Very Low Income Housing Set-Asides

Housing Set-Aside	Density Bonus	Incentives/Concessions
Very Low 50% AMI	(+2.5%)	1-3
5%(min.)	20%	1
6%	22.50%	1
7%	25%	1
8%	27.50%	1
9%	30%	1
10%	32.50%	2
11%	35%	2
12%	35%	2
13%	35%	2
14%	35%	2
15%	35%	3
16%	35%	3
17%	35%	3
18%	35%	3
19%	35%	3
20%	35%	3
...	35%	3

TABLE B

Density Bonuses and Incentives/Concessions for
Lower Income Housing Set-Asides

Housing Set-Aside	Density Bonus	Incentives/Concessions
Lower 80% AMI	(+1.5%)	1-3
10%(min.)	20%	1
11%	21.5%	1
12%	23%	1
13%	24.5%	1
14%	26%	1
15%	27.5%	1
16%	29%	1
17%	30.5%	1
18%	32%	1
19%	33.5%	1
20%	35%	2
21%	35%	2
22%	35%	2
23%	35%	2
24%	35%	2
25%	35%	2
26%	35%	2
27%	35%	2
28%	35%	2
29%	35%	2
30%	35%	3
...	35%	3

TABLE C

Density Bonuses and Incentives/Concessions for
Moderate Income Housing Set-Asides

Housing Set-Aside	Density Bonus	Incentives/Concessions
Moderate 120% AMI	(+1%)	1-3
10%(min.)	5%	1
11%	6.00%	1
12%	7%	1
13%	8.00%	1
14%	9%	1
15%	10.00%	1
16%	11%	1
17%	12%	1
18%	13%	1
19%	14%	1
20%	15%	2
21%	16%	2
22%	17%	2
23%	18%	2
24%	19%	2
25%	20%	2
26%	21%	2
27%	22%	2
28%	23%	2
29%	24%	2
30%	25%	3
31%	26%	3
32%	27%	3
33%	28%	3
34%	29%	3
35%	30%	3
36%	31%	3
37%	32%	3
38%	33%	3
39%	34%	3
40%	35%	3
...	35%	3

TABLE D

Density Bonuses for Land Donations

Land Donation	Density Bonus
Very Low 50% AMI	(+1%)
10%(min.)	15%
11%	16.00%
12%	17%
13%	18.00%
14%	19%
15%	20.00%
16%	21%
17%	22%
18%	23%
19%	24%
20%	25%
21%	26%
22%	27%
23%	28%
24%	29%
25%	30%
26%	31%
27%	32%
28%	33%
29%	34%
30%	35%
...	35%

*Land donation density bonuses can be combined with density bonuses for affordable housing set-asides, up to a maximum combined total of 35%.

FORM A: AFFORDABLE HOUSING SET-ASIDES



AFFORDABLE HOUSING DENSITY BONUS APPLICATION SUPPLEMENT

Applicant Name: _____
Case No.: _____ Date: _____

Maximum allowable density: _____ DU/Net Acre
Total area of project: _____ Net Acres

Total number of units proposed (w/out density bonus): _____
Must be 5 or more units to qualify for a density bonus. Gov. Code 65915 (g)(1) & (2)

HOUSING SET-ASIDE CALCULATION Refer to Los Angeles County's Income Limits/Costs:
http://planning.co.la.ca.us/drp_Housing_Income2005.pdf

For very low-income households: _____ % _____ units
Must be at least 5%, for a minimum density bonus of 20%--up to 35%. Gov. Code 65915 (g)(1) & (b)(2)
Very-low income households are defined at 50% AMI or less. Health and Safety Code 50105

For lower income households: _____ % _____ units
Must be at least 10%, for a minimum density bonus of 20%--up to 35%. Gov. Code 65915 (g)(1) & (b)(1)
Lower income households are defined at 80% AMI or less. Health and Safety Code 50079.5

For moderate-income households: _____ % _____ units
Must be at least 10%, for a minimum density bonus of 5%--up to 35%. Gov. Code 65915 (g)(1) & (b)(1)
Must be a condominium or planned development. Gov. Code 65915 (a)(4), Civil Code 1351 (f) & (k)
Moderate income households are defined at 120% AMI or less. Health and Safety Code 50093

Senior Housing Development: N/A % _____ units
Must fit the definition of a "senior housing development." Gov. Code 65915 (a)(3), Civil Code 51.12 & 51.3
Qualifies for a flat 20% density bonus. Gov. Code 65915 (b)(3)

Total affordable units: _____

DENSITY BONUS CALCULATION

A project that includes a child care facility also qualifies for an additional density bonus (OR an additional incentive/concession) in the amount equal to or greater than the square footage of the child care facility. Gov. Code 65915 (i)(1)(A)(B)

Child care facility (if applicable): _____ sq. ft. Gov. Code 65915 (i)(1)(A)

Density Bonus: _____ % _____ units
Refer to 'Special Instructions' Tables A-C to determine the entitled density bonus. Gov. Code 65915 (g)(1)(2) and (h)
Applicant may request a lesser density bonus. Gov. Code 65915 (g)(1)
All density calculations resulting in fractional units shall be rounded up to the next whole number. Gov. Code 65915 (g)(1)(2) and (h)

Total number of units proposed (w/density bonus): _____

FORM A: AFFORDABLE HOUSING SET-ASIDES

INCENTIVES OR CONCESSIONS Refer to 'Special Instructions' for a list of suggested incentives/concessions.

Projects qualify for 1-3 incentives/concessions, depending on the affordable housing set-aside and income-level served. Please refer to the tables below. Gov. Code 65915 (d)(2)(A)(B)(C)

If the project includes a child care facility, it qualifies for an additional incentive/concession (OR an additional density bonus) that contributes to the economic feasibility of the construction of the child care facility. Gov. Code 65915 (i)(1)(A)(B)

Total number of incentives or concessions requested: _____

Incentive/Concession #1:

☐ Yes ☐ No Is the requested incentive/concession required in order to provide for affordable housing costs or for rents for the targeted units? Gov. Code 65915 (d)(1)(A)

☐ Yes ☐ No Would the requested incentive/concession have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate-income households? Gov. Code 65915 (d)(1)(B)

Incentive/Concession #2:

☐ Yes ☐ No Is the requested incentive/concession required in order to provide for affordable housing costs or for rents for the targeted units? Gov. Code 65915 (d)(1)(A)

☐ Yes ☐ No Would the requested incentive/concession have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate-income households? Gov. Code 65915 (d)(1)(B)

Incentive/Concession #3:

☐ Yes ☐ No Is the requested incentive/concession required in order to provide for affordable housing costs or for rents for the targeted units? Gov. Code 65915 (d)(1)(A)

☐ Yes ☐ No Would the requested incentive/concession have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate-income households? Gov. Code 65915 (d)(1)(B)

Incentive/Concession for a child care facility (if applicable):

___ Yes ___ No Would the requested incentive/concession have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate-income households? Gov. Code 65915 (d)(1)(B)

List additional waivers/modifications of development standards, if any, and explain in detail how each waiver/modification contributes to the financial feasibility of providing affordable units. Would the requested waiver/modification have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate-income households? (Attach supportive financial documents, and additional pages as needed.) *Gov. Code 65915 (e) & (f)*

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FORM B: LAND DONATIONS



AFFORDABLE HOUSING DENSITY BONUS APPLICATION SUPPLEMENT

Applicant Name: _____
Case No.: _____ Date: _____

Maximum allowable density: _____ DU/Net Acre
Total area of project: _____ Net Acres

Total number of units proposed (w/out density bonus): _____

LAND DONATION CONDITIONS

Please answer the following questions. If you answer "NO" to any of the questions, your land donation does not qualify for the minimum 15% density bonus. Gov. Code 65915 (h)(1)(2)(3)(4)(5)(6)

___ Yes ___ No Is the transferred land at least an acre in size, or of sufficient size to permit development of at least 40 units? Gov. Code 65915 (h)(3)

___ Yes ___ No Does or will the transferred land have the appropriate general plan designation, be zoned for affordable housing, and be served by adequate public facilities and infrastructure? Gov. Code 65915 (h)(3)

___ Yes ___ No Does or will the transferred land have the appropriate zoning and development standards to make the development of the affordable units feasible? Gov. Code 65915 (h)(3)

___ Yes ___ No Will the transferred land have all the permits and approvals, other than building permits, necessary for the development of very low income housing units no later than the date of approval of the final subdivision map, parcel map, or of the residential development? Gov. Code 65915 (h)(3)

___ Yes ___ No Is the transferred land within the boundary or ¼ mile of the proposed development? Gov. Code 65915 (h)(6)

___ Yes ___ No Is the transferred land within the same jurisdiction as the proposed development? Gov. Code 65915 (a)

AFFORDABLE UNIT CALCULATION Refer to Los Angeles County's Income Limits/Costs:
http://planning.co.la.ca.us/drp_Housing_Income2005.pdf

-Land Donation Set-Aside:

For very low-income households: _____ % _____ units
Must be at least 10%, for a minimum density bonus of 15%--up to 35%. Gov. Code 65915 (h)
Very-low income households are defined at 50% AMI or less. Health and Safety Code 50105

-Housing Set-Aside: Only applicable if the proposed housing development includes affordable housing set-asides. A combined land donation and affordable housing set-aside density bonus cannot exceed 35%. Gov. Code 65915 (h)

Proposed housing developments must be 5 or more units in order to qualify for a density bonus. Gov. Code 65915 (g)(1) & (2)

FORM B: LAND DONATIONS

For very low-income households: _____ % _____ units
Must be at least 5%, for a minimum density bonus of 20%--up to 35%. Gov. Code 65915 (a)(2)
Very-low income households are defined at 50% AMI or less. Health and Safety Code 50105

For lower income households: _____ % _____ units
Must be at least 10%, for a minimum density bonus of 20%--up to 35%. Gov. Code 65915 (a)(1)
Lower income households are defined at 80% AMI or less. Health and Safety Code 50079.5

For moderate-income households: _____ % _____ units
Must be at least 10%, for a minimum density bonus of 5%--up to 35%. Gov. Code 65915 (a)(4)
Must be a condominium or planned development. Civil Code 1351 (f) & (k), Gov. Code 65915 (a)(4)
Moderate income households are defined at 120% AMI or less. Health and Safety Code 50093

Senior Housing Development: N/A % _____ units
Must fit the definition of a "senior housing development." Gov. Code 65915 (a)(3) & Civil Code 51.12 & 51.3
Qualifies for a flat 20% density bonus. Gov. Code 65915 (a)(3)

Total affordable units (land set-aside + housing set-aside): _____

DENSITY BONUS CALCULATION

Land donations qualify for a minimum density bonus of 15%, up to 35%. The project qualifies for additional density bonuses if it includes affordable housing set-asides; however the combined density bonus cannot exceed 35%. Gov. Code 65915 (h)

If the project includes a child care facility, it qualifies for an additional density bonus (OR an additional incentive/concession) in the amount equal to or greater than the square footage of the child care facility. Gov. Code 65915 (i)(1)(A)(B)

Child care facility (if applicable): _____ sq. ft. Gov. Code 65915 (i)(1)(A)

Density Bonus: _____ % _____ units
Refer to 'Special Instructions' Tables A-D to determine the entitled density bonus. Gov. Code 65915 (g)(1)(2) & (h)
Applicant may request a lesser density bonus Gov. Code 65915 (g)(1)
All density calculations resulting in fractional units shall be rounded up to the next whole number. Gov. Code 65915 (g)(1)(2) & (h)

Total number of units proposed (w/density bonus): _____

INCENTIVES OR CONCESSIONS Refer to 'Special Instructions' for a list of suggested incentives/concessions. Only applicable if the proposed project includes affordable housing set-asides. Gov. Code 65915 (d)(2)(A)(B)(C)

Projects qualify for 1-3 incentives/concessions, depending on the affordable housing set-aside and income-level served. Please refer to the following tables below. Gov. Code 65915 (d)(2)(A)(B)(C)

If the project includes a child care facility, it qualifies for an additional incentive/concession (OR an additional density bonus) that contributes to the economic feasibility of the construction of the child care facility. Gov. Code 65915 (i)(1)(A)(B)

Total number of incentives or concessions requested: _____

FORM B: LAND DONATIONS

Incentive/Concession #1:

☐ Yes ☐ No Is the requested incentive/concession required in order to provide for affordable housing costs or for rents for the targeted units? Gov. Code 65915 (d)(1)(A)

☐ Yes ☐ No Would the requested incentive/concession have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate-income households? Gov. Code 65915 (d)(1)(B)

Incentive/Concession #2:

☐ Yes ☐ No Is the requested incentive/concession required in order to provide for affordable housing costs or for rents for the targeted units? Gov. Code 65915 (d)(1)(A)

☐ Yes ☐ No Would the requested incentive/concession have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate-income households? Gov. Code 65915 (d)(1)(B)

Incentive/Concession #3:

☐ Yes ☐ No Is the requested incentive/concession required in order to provide for affordable housing costs or for rents for the targeted units? Gov. Code 65915 (d)(1)(A)

☐ Yes ☐ No Would the requested incentive/concession have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate-income households? Gov. Code 65915 (d)(1)(B)

Incentive/Concession for child care facility (if applicable):

☐ Yes ☐ No Is there a need for a child care facility in the community? Gov. Code 65915 (i)(3)

☐ Yes ☐ No Does the additional requested incentive/concession significantly contribute to the economic feasibility of the construction of the child care facility? Gov. Code 65915 (i)(1)(B)

☐ Yes ☐ No Would the requested incentive/concession have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate-income households? Gov. Code 65915 (d)(1)(B)

ADDITIONAL WAIVERS/MODIFICATIONS OF DEVELOPMENT STANDARDS

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Appendix L

Infill Sites Utilization Program



HOUSING AUTHORITY
of the County of Los Angeles
Administrative Office
2 Coral Circle • Monterey Park, CA 91755
323.890.7001 • www.lacdc.org

Gloria Molina
Yvonne Brathwaite Burke
Zev Yaroslavsky
Don Knabe
Michael D. Antonovich
Commissioners

Carlos Jackson
Executive Director

August 3, 2004

Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Honorable Board of Commissioners
Community Development Commission
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Honorable Board of Commissioners
Housing Authority of the
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors and Commissioners:

**APPROVE IMPLEMENTATION OF INFILL SITES UTILIZATION PROGRAM
(ALL DISTRICTS)
(3 Vote)**

IT IS RECOMMENDED THAT THE BOARD OF SUPERVISORS:

1. Authorize the Executive Director of the Community Development Commission to administer, on behalf of the Commission, Home Investment Partnership (HOME) Program funds and Community Development Block Grant (CDBG) funds, in order to implement the Infill Sites Utilization Program (Infill Program), in conjunction with the Housing Authority's Industry Program, for the acquisition, sale or lease of infill sites of no more than four units each, to increase housing for low- and moderate-income households in the unincorporated County and in cities participating in the CDBG Urban County Program, following the consent of the city and the affected Supervisorial District.



2. Authorize the Executive Director of the Community Development Commission, on behalf of the Community Development Commission, to implement the Infill Program and to provide up to \$500,000 for each infill development, using countywide HOME funds, and CDBG funds allocated to each Supervisorial District, and the required environmental clearance, following approval of the affected District, for site acquisition, pre-development, construction and permanent financing.

IT IS RECOMMENDED THAT THE BOARD OF COMMISSIONERS OF THE COMMUNITY DEVELOPMENT COMMISSION:

1. Authorize the Executive Director of the Community Development Commission to sell or lease to qualified developers, subject to program requirements, sites previously acquired for affordable housing, in order to implement the Infill Sites Utilization Program (Infill Program) following approval of the affected Supervisorial District, and to negotiate and execute all necessary agreements related to the sale or lease of the infill sites, to be effective following approval as to form by County Counsel and execution by all parties.
2. Authorize the Executive Director, as part of the Infill Program, to provide loans to developers of up to a maximum of \$500,000 for each infill development for site acquisition, pre-development, construction and permanent financing, using Home Investment Partnerships (HOME) Program funds, and Community Development Block Grant (CDBG) funds allocated to each Supervisorial District, following approval of the affected District.
3. Authorize the Executive Director, following approval as to form by County Counsel, and the required environmental clearance, to execute any necessary subordination, interagency or inter-creditor agreements, and to execute and modify all documents necessary for implementation of the proposed Infill Program and for each proposed infill development.
4. Authorize the Executive Director to implement the Infill Program using available HOME and CDBG funds, up to an aggregate of \$500,000 for each infill development, and to incorporate, as needed, \$1,000,000 into the Commission's Fiscal Year 2004-05 approved budget.

IT IS RECOMMENDED THAT THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY:

1. Authorize the Executive Director of the Housing Authority to sell or lease to qualified developers, subject to program requirements, infill sites of no

more than four units each, to increase housing for low- and moderate-income households in cities participating in the CDBG Urban County Program or in areas of the unincorporated County, which sites are located within a 15-mile radius of the City of Industry, following approval of the affected Supervisorial District, and to negotiate and execute all necessary agreements related to the sale or lease of the infill sites, to be effective following approval as to form by County Counsel and execution by all parties.

2. Authorize the Executive Director, as part of the Infill Program, to provide loans from Industry Funds of up to a maximum of \$400,000 per infill development, not to exceed \$100,000 per unit, for acquisition, and permanent financing of only affordable for-sale housing in cities participating in the CDBG Urban County Program and in areas of the unincorporated County, following approval of the affected Supervisorial District, which sites are located within a 15-mile radius of the City of Industry.
3. Authorize the Executive Director, following approval as to form by County Counsel, and the required environmental clearance, to execute any subordination, interagency, or inter-creditor agreements, and to execute and modify all documents for implementation of the Infill Program and for each proposed infill development, as described herein.
4. Authorize the Executive Director to implement the Infill Program using available Industry funds, up to a maximum of \$400,000 for each infill development, and to incorporate, as needed, \$1,000,000 into the Housing Authority's Fiscal Year 2004-05 approved budget.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION:

The purpose of this action is to implement the Infill Program, which will provide housing opportunities for low-and moderate-income families, and to make more efficient the delivery of smaller development and acquisition/rehabilitation projects. In addition, the Infill Program will serve to assist in eliminating blight.

FISCAL IMPACT/FINANCING:

There is no impact on the County general fund. Under the Infill Program HOME, CDBG and Industry Funds will be used to fund the acquisition and development of infill sites for development of affordable housing. The Executive Director will be authorized to purchase and sell properties in the unincorporated County and in cities participating in the CDBG Urban County Program (subject to the consent of the city and the affected Supervisorial District). If Industry Funds are used alone or along with HOME or CDBG funds, the proposed development must be located within a 15-mile radius of the City of

Industry and conform to the criteria discussed in the Proposal and Selection Process section of this letter, which was adopted by the Board of Housing Commissioners on September 9, 2003. Sites previously acquired by the Commission using HOME or CDBG funds, or acquired by the Housing Authority using Industry Funds, subsequent to the approval of the proposed Infill Program, may also be utilized.

Loans of up to \$500,000 per development in HOME, CDBG and/or Industry Funds will be made to developers, with the total HOME funds for all costs limited to the maximum per-unit subsidy established by the U.S. Department of Housing and Urban Development (HUD), currently \$151,318 for a two-bedroom unit and \$214,874 for a four-bedroom unit. The maximum loan from Industry Funds will be \$100,000 per unit. CDBG funds allocated to the Supervisorial Districts may also be provided. Final loan amounts will be determined following completion of negotiations with developers and arrangements with other involved lenders. Each loan will be evidenced by a promissory note and secured by a deed of trust.

The Infill Program will utilize a portion of the Industry Funds, under the formula, previously approved by the Board of Housing Commissioners, that stipulates 40% of the Industry Funds reserved for affordable housing are to be allocated to for-sale housing.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS:

The rehabilitation of existing deteriorated housing, as well as the development of vacant or under-utilized properties in developed areas, known as "infill housing," contributes significantly to the preservation of neighborhoods and makes use of in-place infrastructure. The Board of Commissioners has instructed the Commission to study the feasibility of creating an infill development team within the Commission to streamline the process of approval for housing development projects. The Commission has been working with the Los Angeles County Department of Regional Planning to facilitate the development of affordable housing, and has formulated the Infill Program components outlined below to help accomplish these goals.

The Infill Program will encompass improved and unimproved sites. The estimated start date will be September 2004, following Board approval. The Executive Director will report to the Board on the progress of the Program one year following implementation.

Site Acquisition and Disposition; Project Types

The Infill Program will authorize the acquisition, sale and lease of sites for affordable housing development, in accordance with applicable regulations and Commission and Housing Authority policies. Such actions may include acquisition of unimproved sites, conventional developments, factory-built housing, move-on housing and for-sale and rental acquisition/rehabilitation.

Project Financing

Funds will be provided to developers through agreements executed by the Executive Director, following the consent of the affected Supervisorial District, completion of financial arrangements with developers and approval as to form by County Counsel. Under the Infill Program, funds may be provided to projects for development or rehabilitation of all or a portion of units, not to exceed four units per project. Agreements providing HOME loans for both rental and homeownership developments will require that units remain affordable for a minimum of 30 years. Agreements providing Industry Fund loans will require that homeownership units remain affordable for 45 years. All loans will be evidenced by promissory notes and secured by deeds of trust.

HOME or CDBG loans for development of rental housing require that units be reserved for households earning up to 65 percent of area median income (AMI) for the Los Angeles-Long Beach Metropolitan Statistical Area, adjusted for family size, as established by HUD. For-sale developments financed with HOME or CDBG funds will be reserved for households earning up to 80 percent of AMI. For-sale developments financed with Industry Funds will be reserved for households earning up to 120 percent of AMI.

For-Sale Projects

Under the Infill Program, HOME and CDBG loans made for development or acquisition/rehabilitation of for-sale housing will initially be repaid from the homebuyers' first trust deeds, currently \$110,000 to \$140,000 each. Those HOME or CDBG funds not so repaid would convert to second or third trust deeds.

Industry Funds loaned for acquisition, or acquisition/rehabilitation of for-sale housing, also will be repaid with homebuyers' first trust deeds, depending upon homebuyers' income, with the remainder converting to secondary financing for each homebuyer.

All agreements will stipulate that homes be sold at their appraised values. If a difference exists between the appraised value and the total of the first trust deed, second trust deed and buyer equity or down payment, the remainder will be secured by a third trust deed and promissory note in favor of the Commission or the Housing Authority, depending upon the funding source. The second, and if necessary third, trust deeds in favor of the Commission are in conformity with the instruments currently used by the Commission. These instruments provide for the forgiveness of HOME and CDBG loans at the end of 30 years and the forgiveness of Industry Funds loans at the end of 45 years. Industry Funds Loans, HOME and CDBG loans all require that the home buyer share a portion of the appreciation in the property value, with the home buyer's share increasing over time, if the home is sold prior to the end of the term of the loan.

Rental Developments

The Infill Program provides that HOME or CDBG funds loaned for acquisition/rehabilitation or development of rental properties are to be repaid to the Commission from residual receipts generated by operation of the properties. Industry Funds will not be loaned for rental developments.

PROPOSAL AND SELECTION PROCESS:

The Infill Program, for developments proposing to use only Industry Funds or Industry Funds along with HOME funds (and CDBG funds in unincorporated areas), will use the criteria adopted by your Board on September 9, 2003, for the Home Ownership Development Program. For the first nine months of each fiscal year, only proposed developments in the unincorporated County areas and in cities participating in the CDBG Urban County Program where the proposed development is within 15 miles of the City of Industry will be eligible to apply. For the remaining three months of each fiscal year, proposed developments within any jurisdiction within 15 miles of the City of Industry will be eligible to apply for the use of Industry Funds. The use of HOME funds for proposed developments will remain restricted to cities participating in the CDBG Urban County Program and the use of CDBG funds will remain restricted to the unincorporated county areas.

For developments proposing to use only HOME funds, and CDBG funds in unincorporated areas, applications may be made at any time during the fiscal year for developments located within any unincorporated area or city participating in the CDBG Urban County Program, subject to the consent of the affected Supervisorial District. If the development is located in a city participating in the Urban County Program, the city's consent will also be required.

Criteria emphasizing a neighborhood's need for blight removal and additional affordable housing will also be incorporated into the Housing Authority and Commission's existing selection criteria used for the HOME and Industry Funds Home Ownership Programs. Proposals will be accepted from qualified developers on an ongoing basis, with selection based on the aforementioned criteria. If proposals receive the minimum required score, applications will be funded on a "first come, first served" basis, depending on funds availability.

The Commission and the Housing Authority will periodically advertise the Infill Program in local newspapers, maintain a notice of funding availability on both their websites and the County Office of Small Business website, and periodically initiate informational workshops to provide applicants with technical assistance.

ENVIRONMENTAL DOCUMENTATION:

The scope of projects to be funded under the Infill Program is limited to those containing four units or less, which are normally Categorically Exempt from the California Environmental Quality Act (CEQA) Guidelines and Categorically Excluded under HUD National Environmental Policy Act (NEPA) regulations at 24 Code of Federal Regulations Part 58. However, an Environmental Service Request (ESR) will be submitted to the Commission's Environmental Unit for each property to be acquired, disposed of, improved, demolished, cleared or rehabilitated. Each site will receive an environmental clearance prior to the commitment of project funds, in accordance with CEQA Guidelines and NEPA regulations.

Should any sites require a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report, the Board will review the environmental documentation and determine whether or not to adopt findings for each project.

IMPACT ON CURRENT PROJECT:

The Infill Program will streamline delivery of affordable housing in the County.

Respectfully submitted,

CARLOS JACKSON
Executive Director

CJ:CBB

